

IN THE
SUPREME COURT OF THE UNITED STATES

THE UNITED STATES OF AMERICA

vs.
HARRIS AMERICA INCORPORATED, a corporation
of the State of New York

and

vs.
HARRIS AMERICA INCORPORATED, a corporation
of the State of New York



**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK.**

UNITED STATES OF AMERICA, PETITIONER,

against

HAMBURG-AMERIKANISCHE PACKET-
FAHRT-ACTIEN-GESELLSCHAFT,
AND OTHERS, DEFENDANTS.

EXHIBITS.
VOLUME VII.

THE REPORTER CO., WALTON, N. Y.
New York Office: 253 Broadway, Room 205. Phone 6575 Barclay.
Brooklyn Office: 315 Fulton Street, Room 58. Phone 2300 Main.
1913

no
of



Petitioner's Exhibit 914.

9817

G. No. 1.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
Telegramm-Adresse:
Secretair-Jena.

Jena, 15th February 1908.

To the Parties to the General Pool:

The Norddeutscher Lloyd informs me that an agree- 9818
ment has been arrived at with the Canadian Pacific
Railway and sends me a letter from Mr. Allan Cam-
eron by which he advises that the Canadian Pacific
Railway will accept 4.60% of the eastbound steerage
pool and that he is prepared to sign the agreement on
this basis.

Lloyd writes, that the 4.60% are based on the total
carrying of all the parties, the Canadian Pacific Rail-
way's inclusive but exclusive of the Cunard Line's
Fiume service. If this latter be included, the Cana-
dian Pacific Railway's share would be 4.49%.

I have today sent the Agreement to Mr. Cameron
for signature.

Respectfully,

9819

9820

Petitioner's Exhibit 915.*G. No. 2.*

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
 Telegramm-Adresse:
 Secretair-Jena.

Jena, 17th February 1908.

To the Parties to the General Pool:

9821

The White Star Line suggests that the Contract relating to the pooling of Westbound Continental traffic between the General Pool Lines and Canadian Lines should be made operative during the same period as the General Pool Contract viz from March 1st 1908 to February 28th 1911, instead of from January 1st last as at present arranged.

I shall be obliged for information whether there is any objection to this proposal.

Will the parties please also inform me how many copies of these circular letters they wish to get and whether they are to be sent under a special address.

Respectfully

H. PETERS.

9822

(Stamped): Ismay, Imrie & Co. Recd. 19 Feb.
 1908. Ansd.

Petitioner's Exhibit 916.

9823

G. No. 3.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
 Telegramm-Adresse:
 Secretair-Jena.

Jena, den 21. Februar 1908.

To the Parties to the General Pool:

The Canadian Pacific Railway have returned to me the Original of the General Pool contract signed as follows: 9824

"The Canadian Pacific Railway agree to become a party to the above contract as far as Eastbound business is concerned and to accept 4.60% as their share of the total eastbound traffic as per Article 1, inclusive their own carryings, but exclusive Cunard Line's Fiume service. If Cunard Line's Fiume Service is included and if shared by all lines the Canadian Pacific Railway share of 4.49% will be accepted.

The Canadian Pacific Ry Co. 9825
 (Atlantic Steamship Lines)
 Allan Cameron."

The percentages of the General Pool westbound and eastbound are under revision. As soon as I have got them acknowledged I shall inform the Parties and then send the printed copies.

Respectfully

H. PETERS.

(Stamped): Ismay, Imrie & Co. Recd. 24 Feb.
 1908. Ansd.

9826

Petitioner's Exhibit 917.*G. No. 4.*

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat

Telegramm-Adresse:

Secretair-Jena.

Jena, 29th February 1908.

To the Parties to the General Pool:

- 9827 The Hamburg-American Line have received the following cable from their New York Branch:

"From a reliable source have just learned that the steamer "Vultorno" has been chartered by New York Continental Line for two years at £600 monthly, charterers paying everything. She can carry 1400 steeragers."

The Hamburg American Line are informed that this is the third steamer which the New York Continental Line have secured for their passenger service New York-Rotterdam.

Respectfully

H. PETERS, p. Rep.

9828

P. S.

The present circular letter is the fourth one addressed to the parties to the General Pool. I have numbered it accordingly and with the litera G. (General Pool). If the parties find it suitable I beg to suggest to number:

Circular letter of	15th inst.	G. No. 1
"	"	17th inst. G. No. 2
"	"	21th inst. G. No. 3

Petitioner's Exhibit 918.

9829

G. No. 5.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
Telegramm-Adresse:
Secretair-Jena.

Jena, February 29th, 1908.

To the Parties to the General Pool:

Dear Sirs:

9830

I beg to confirm my today's telegram reading:

"All parties agreed making Canadian Agreement operative 1st March 1908 until 28th February 1911."

The Hamburg American Line have given their consent in the assumption that the accounts of the Canadian Agreement will be closed on the 31st December, so that the first year embraces only ten months. I trust there will be no objection as to this being accepted.

Respectfully,

9831

9832

Petitioner's Exhibit 919.*G. No. 6.*

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat

Telegramm-Adresse:

Secretair-Jena.

Jena, den 3. März 1908.

To the Parties to the General Pool:

9838 Dear Sirs,

I beg to confirm my today's telegram reading:

"On account of shortage in N. D. L. V. eastbound pool Lloyd reduced eastbound New York regular steamers, Baltimore and Galveston steamers to 26 Dollars."

9884

I take this opportunity to inform the parties in Great Britain that in a couple of days I shall furnish them with blanks for the statistics westbound and eastbound separate, a copy of which I beg to request to return to me with the necessary informations filled in, to enable me to compile the statistics. According to Art. 10 the first week, for which statistics are to be made up ends on the 7th inst.

Respectfully

Petitioner's Exhibit 920.

9835

G. No. 7.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
Telegramm-Adresse:
Secretair-Jena.

Jena, March 6th 1908.

To the Parties

In the "Frankfurter Zeitung" of February 29th there is a report from Switzerland that Thos. Cook & Son intend to take the emigrant business also in hand. The first emigrant offices, which, it is stated, are to act as agencies of an English steamship line are to be established at several points in Switzerland. It might be well that the Lines give Thos. Cook & Son a hint, if the report should be true, that they would stop accepting their bookings of cabin passengers. 9836

I shall be obliged by getting the views of the parties on this point, which I trust can be given by return.

Respectfully

9837

9888

Petitioner's Exhibit 921.*G. No. 8.*

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat

Telegramm-Adresse:

Secretair-Jena.

Jena, March 6th 1908.

To the Parties

Newyork Continental Line.

9839

In connection with circular letter G. No. 4 I hereby beg to advise you of the following letter which I received from the Holland American Line, they write as follows:

"We learn that the steamship 'Voluturno,' chartered by the New York Continental Line, can carry only 700 steerage passengers instead of 1400, as indicated in G. No. 4. She is a twinscrew steamer of about 3800 gross register tons and about 1500 tons' cargo capacity. Her speed is between 11 and 12 miles. Formerly she plied between Italy and France and La Plata ports. Owners are Messrs D. G. Pinkneys and Co. in connection with whom the firm of Furness, Withy & Co. is mentioned.

9840

"According to further intelligence received, the New York Continental Line have chartered for a long term two other steamers, viz:

ss. 'Jelunga,' built in 1890, of 5206 tons gross and 3361 tons net

ss. 'Avoca,' built in 1891, of 5324 tons gross and 3410 tons net

"These latter steamers were formerly employed by the British India Steam Navigation Company."

Respectfully,

Petitioner's Exhibit 922.

9844

G. No. 9.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
Telegramm-Adresse :
Secretair-Jena.

Jena, March 6th, 1908.

To the Parties

Italian Lines & Continental Business.

9842

In the "Odessaer Zeitung" of 1st inst the Navigazione General. Italiana advertise for emigrants weekly direct sailings from Odessa at lowest rates. Anything I can find out further I shall inform the Parties of, if of sufficient importance.

Respectfully

H. PETERS.

9843

9844

Petitioner's Exhibit 1262.*G. No. 11.*

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat

Telegramm-Adresse:

Secretair-Jena.

Jena, den 10. März 1908.

. To the Parties:

9845

Stas. Accs.

In Art. 3 of the Contract there are named under 4. 5. 6. 7. the four N. D. L. V. Lines individually but their share is stated jointly. The same applies to the three Immco Lines, for which also one joint percentage only is given. Such concentration is not favorable for the working of the Contract and specially not for judging which special line has to take measures of adjustment and whether measures proposed will answer their purpose. I shall therefore insert in the statistics the 4 N. D. L. V. Lines with their individual shares and shall be obliged for the Immco Lines giving me likewise their individual shares in the west-bound and eastbound steerage business.

9846

Respectfully

Petitioner's Exhibit 924.

9847

G. No. 12.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat

Telegramm-Adresse:

Secretair-Jena.

Jena, March 11th, 1908.

To the Parties to the Atlantic Conference:

New York Continental Line. (G. No. 10.)

The Holland America Line write that their General Agency in Switzerland has received from the tourist office "Oceana" in Rotterdam the following letter:

9849

"Wir beehren uns, Ihnen hierdurch die höfliche Mitteilung zu machen, dass wir am hiesigen Platze unter der Firma

"Reisebureau Oceana"

ein Passagebureau eröffnet haben und von der Königlich Niederländischen Regierung concessionirt sind. Wir sind die General Agenten der

New York und Continental Line, welche einen directen Passagedienst zwischen Rotterdam Halifax und New York eingerichtet haben. Die Dampfer landen die Passagire für Canada in Halifax und gehen weiter mit den für die Vereinigten Staaten gebuchten Passagieren nach New York und machen die Seereise in etwa 9 Tagen.

9849

Die Abfahrten finden wie folgt statt:

Volturmo am Sonnabend den 21. März

Avoca " " " 4. April

Jelunga " " " 18. "

und weiter alle 14 Tage.

Petitioner's Exhibit 924

9850

Die Doppelschraubendampfer nehmen I., II. und III. Classepassagiere und haben eine vorzügliche Einrichtung. Sie sind mit allem Comfort der Neuzeit ausgerüstet (electrisches Licht etc.) und die Passagiere finden die allerbeste Verpflegung.

Unsere Nettorate, momentan M 90.—von Rotterdam nach Halifax und New York, mit Kost und Logis in Rotterdam frei, wird Ihnen ausserdem Veranlassung geben, uns recht viele Zuweisungen zu machen, in welcher Hoffnung wir uns Ihnen empfehlen.

9851

Hochachtungsvoll
Reisebureau Oceana."

The Holland America Line write further:

9852

"The tourist office Oceana is managed by the notorious agent Landy as is also the tourist office Atlantic Express. It is evident that in the former he will do business for the New York & Continental Line and in the latter for the Russian Eastasiatic S. S. Co. Whether the Eastasiatic knows that Landy, besides representing them has also the agency of the New York & Continental Line or whether this latter knows that he is also working for the Eastasiatic Co. we are inclined to doubt or he would not have put himself to the expense of two offices."

"P. S. It is said that the New York & Continental Line which by former reports had chartered the steamers Avoca and Jelunga, has now bought them."

I have written to the East-Asiatic Line, but I think they will have to tolerate that they must share Mr. Landy's favors with some other party.

As from the two letters it is evident that Mr. Landy makes his offer to established agencies of other Lines, clause 20 of the Bye-Laws will have to be put in operation, and the sooner the better.

I shall draw up a circular to agents and if the Lines would agree to it being a joint one the effect, no doubt, would be stronger.

Respectfully,

H. PETERS.

9854

(1) A letter of the same tenor as above is directed to an agent of the Hamburg Line.

9855

9856

Petitioner's Exhibit 925.*G. No. 12.**New York Continental Line (G. No. 10).*

The Holland America Line write that their General Agency in Switzerland has received from the Tourist Office "Oceana" in Rotterdam the following letter:

9857

"We herewith beg to advise you that we have opened in this City a Tourist Office, under the style of 'Reisebureau Oceana,' and have received the concession from the Royal Dutch Government. We are acting as General Agents for the New York and Continental Line, which has established direct sailings between Rotterdam, Halifax and New York. The steamers of the Line disembark passengers for Canada in Halifax, from where they proceed to New York with those passengers booked for the United States, and cover the trip in about 9 days.

"The sailings are fixed as follows:

'Voluturno,' on Saturday the 21st March.

'Avoca,' " do " 4th April

'Jelunga,' " do " 18th do

etc., one every fortnight.

9858

"The steamers are fitted with twin screws and take 1st, 2nd and 3rd class passengers and are provided with excellent accommodation. The steamers have up to date appliances (electric light etc.), and passengers are boarded on the best victualling scale.

"We trust that our net rate, at present Marks 90 from Rotterdam to Halifax and New York, including board and lodging in Rotterdam, will give you the opportunity of sending us a good number of passengers, in which expectation, we beg to remain,

Yours respectfully,

Reisebureau 'OCEANA'."

Petitioner's Exhibit 926.

9859

G. No. 13.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
 Telegramm-Adresse:
 Secretair-Jena

Jena, March 12th, 1908.

To the Parties to the Atlantic Conference.

New York—Continental Line. (G. No. 12.)

9860

Referring to G. No. 12 I beg to propose that the Lines should send the following circular to their Continental Agents. As most of the Continental Agents understand German it would not be necessary to have the circular in other languages. The Lines of course are at liberty to have it printed also in other languages if they think it expedient. As the French Line and the Austrian Line are also interested in measures against this new competition, I have taken it for granted that they will have no objection to join. If and where Lines have no direct intercourse with subagents, they would have to arrange somehow, that the circulars come into their hands. The agents in Switzerland, part of which are rather unruly will specially have to be attended to.

9861

Objections of any line to its name being put under the circular or to issuing the circular I await by return.

Respectfully,

9862

*Petitioner's Exhibit 926**Proposed Circular Letter:*

“Die unten genannten Gesellschaften ersuchen hierdurch ihre Agenten sich jeder geschäftlichen Verbindung direct oder indirect mit dem Reisebureau Atlantic Express und dem Reisebureau Oceana, zu enthalten. Agenten, die den erwähnten Firmen oder ihren inländischen Vertretern Passagiere zuweisen, oder in irgend einer Weise dazu behülflich sind, dass sie Passagiere erhalten, werden für sämtliche unten genannten Gesellschaften abgesetzt.

9863

März 1908.

Hamburg Amerika Linie.
 Holland Amerika Linie.
 Norddeutscher Lloyd.
 Red Star Line.
 Austro-Americana.
 Cie. Gle. Transatlantique.
 Allan Line.
 American Line.
 Anchor Line.
 Canadian Pacific Ry. Co.
 Cunard Line.
 Dominion Line.
 Donaldson Line.
 White Star Line.”

9864

Translation:

The Companies named below request their agents to abstain from any business connection direct or indirect with the tourist office “Atlantic Express” and the tourist office “Oceana.” Agents, who book passengers for the firms mentioned, or for their agents, or who in any way assist them in getting passengers will be disqualified for all the Lines below.

H. PETERS.

Petitioner's Exhibit 1263.

9865

G. No. 14.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat

Telegramm-Adresse:

Secretair-Jena

Jena, March 13th, 1908.

To the Parties:

With regard to the Contract of the Atlantic Conference some amendments have been proposed as desirable, before it is definitely printed, which I herewith beg to submit for consideration.

1) The Cunard Line's Fiume service being in the agreement eastbound, there ought to be deleted on page No. 1 under 3, the words, "their Fiume-Trieste service excepted" Appendix A excludes misunderstanding.

9866

2) For the same reason the Canadian Pacific Ry. Co. should be added under No. 9.

3) The percentages in Art. 3 should be given as follows:

Westbound.

- | | | |
|--|----------|--|
| 1. The Allan Line S. S. Co. Ltd. for its United States services | .62% | |
| 2. The Anchor Line (Henderson Bros.), Liverpool, | 3.40% | |
| 3. The Cunard S. S. Co. Ltd. Liverpool, | 13.75 | |
| 4. Hamburg Amerikanische Packetfahrt Actien Gesellschaft in Hamburg, | } 62.48% | |
| 5. The Nederlandsch Amerikaansche Stoomvaart Maatschappij in Rotterdam, | | |
| 6. Norddeutscher Lloyd, Bremen, | | |
| 7. Societe Anonyme de Navigation, Belge Americaine (Red Star Line). Antwerp, | | |

9867

9868

Petitioner's Exhibit 1263

- | | | | |
|----|---|---|--------|
| 8. | I. M. M. Co. White Star Line,
American Line,
Dominion Line. | } | 19.75% |
|----|---|---|--------|

Eastbound.

percentages
will be
entered later

- | | | | |
|------|--|---|-----|
| 1. | The Allan Line S. S. Co. Ltd. for its
Canadian services (including
Portland in the winter), | | |
| 9869 | 2. The Anchor Line (Henderson Bros.)
Ltd., Liverpool, | | do. |
| | 3. The Cunard S. S. Co. Ltd., Liver-
pool, for its Liverpool service,
The Cunard S. S. Co. Ltd., Liver-
pool for its Fiume-Triest service
as per Appendix A, | | do. |
| | 4. Hamburg Amerikanische Packet-
fahrt Actien-Gesellschaft in
Hamburg, | } | |
| | 5. The Nederlandsch Amerikaansche
Stoomvaart Maatschappij, Rot-
terdam, | | do. |
| 9870 | 6. Norddeutscher Lloyd, Bremen,
7. Societe Anonyme de Navigation
Belge Americaine, (Red Star
Line) Antwerp, | | |
| | 8. I. M. M. Co., White Star Line,
" American Line,
" Dominion Line, | } | do. |
| | 9. Canadian Pacific Railway Co.,
Atlantic S. S. Lines, | | do. |
- The percentages of the N. D. L. V Lines and Im-
mco Lines should be stated for each Line separately.
4. An additional clause to Art. 3 is suggested read-
ing:

"The Cunard S. S. Co.'s Adriatic service, the Allan Line's Canadian services, and the Canadian Pacific Ry. Co. Atlantic S. S. Lines are not covered by this contract as far as west-bound business is concerned."

5. In the commentary to Art. 11 should be added a new paragraph reading:

"In all cases under this contract where percentages have to be taken in consideration it is understood that in questions on westbound business, the westbound percentages, in questions on eastbound business the eastbound percentages, and in general questions the mean of the west and eastbound percentage of each line shall apply."

9872

6. With regard to Clause 11 of the Canadian Agreement, this requires alteration to conform to Art. 27 of the General Pool Contract.

Respectfully,

(Stamped): North Atlantic, Received, 16/3, 1908;
Ackn'd, No, 1908; Answered, . . . 1908; Passenger
Conference.

9873

9874

Petitioner's Exhibit 927.*G. No. 15.*

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat

Telegramm-Adresse:

Secretair-Jena

Jena, March 14th, 1908.

To the Parties to the Atlantic Conference.

Circulars.

Clause 16 of the Contract provides that:

9875

"the Lines undertake to send to the Secretary any printed matter and circulars sent to agents in relation to the steerage business so far as such matters are not of purely internal nature."

The practice with the N. D. L. V. Lines is that they send to the Secretary so many of their circulars, etc., that he can send to each Line so many as they may require. The Secretary gets them stamped, gives each set a current number returns one copy to the issuing line as proof that he has received the circulars, keeps one for himself on file and sends the rest out to the other Lines. This refers also to circulars issued in America, (clause 9 of the by-laws) and when there are cabin agreements, also interchange in this way their circulars, etc., on cabin business.

9876

I send today two circulars and shall be obliged if the British Lines will inform me whether they are agreeable to the practice as described with the N. D. L. V. Lines or whether they prefer not to go beyond what clause 16 asks for.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 17, Mar., 1908. Ansd., 17.

Petitioner's Exhibit 1264.

9877

G. No. 16.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat

Telegramm-Adresse:

Secretair-Jena

Jena, den 16 März 1908.

To the Parties to the Atlantic Conference.

With reference to G. No. 11 I received the following reply:

“* * * There being a number of distinctly separate Companies included in the N. D. L. V. Lines, it would appear only right that the individual shares for each of these Companies should be shown in the General Pool Contract, this being desirable for the working of the Contract, as you point out.

9878

“In the case of the I. M. M. Co. the position is not quite the same and the Associated Lines are correctly provided for in the Pool under one percentage, being controlled from one centre, and it is not the intention to allot a separate percentage to each of these Companies.

“The Red Star Line, however, will be shown separately as one of the N. D. L. V. Lines.

9879

“Yours faithfully,

“HAROLD A. SANDERSON,

“For I. M. M. Co.”

Under these circumstances I have no authority to show the individual shares of the N. D. L. V. Lines as in the contract one percentage only is provided for for them also.

Respectfully,

9880

Petitioner's Exhibit 928.*G. No. 17.*

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
 Telegramm-Adresse :
 Secretair-Jena

Jena, March 17th, 1908.

To the Parties to the Atlantic Conference.

Russian Steamers.

9881

S. S. Estonia of the Russian Eastasiatic Co. arrived
 at Rotterdam from Libau with 226 passengers on
 March 13th, and proceeded on March 14th after hav-
 ing embarked 37 passengers.

Respectfully,

H. PETERS.

Petitioner's Exhibit 929.*G. No. 18.*

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

9882

Secretariat
 Telegramm-Adresse :
 Secretair-Jena

Jena, March 19th, 1908.

To the Parties to the Atlantic Conference.

Rectifications of Statistics.

These last days I have sent the westbound statistics,
 the eastbound statistics, and the statistics between the

Mr. Smyth attending to this for all Lines.

Atlantic Conference and the Canadian Lines. I await to hear how many copies of each of these statistics each party requires.

As no doubt occasionally Rectifications of the numbers of passengers will have to be reported, I would ask this to be done in the manner, as indicated by the annexed form.

Further I should be obliged if the Lines would have attached to each manifest a slip as shown in the annex.

Deported or bondable steeragers are not to be included in the number of contract steeragers, (which means steeragers to be accounted for under the contract) but are to be reported separately which can be done, when rectifications are sent.

Respectfully,

H. PETERS.

9884

Annex to Circular-Letter G. No. 18.

Steamer	Date	from	Steeragers	Steeragers	Steeragers
			First Report	Correct Number	Rectification
			Total Cont.	Total Cont.	Total Cont.

Form for slip to be attached to manifests.

Contract Steeragers.

9885

	Total	Cont.
First Report,
Correct Number 1)
.....		

Rectification \pm
sent to the Secretaryth, 1908.

1) incl. Cabin passengers accounted for as steeragers
as per Clause 2:

Manifest No.
.....
.....

9886

Petitioner's Exhibit 930.*G. No. 19.*

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
 Telegramm-Adresse:
 Secretair-Jena

Jena, March 20th, 1908.

To the Parties to the Atlantic Conference.

Thos. Cook & Son.

9887

When Writing G. No. 7 my impression was, that it was the intention of Thos. Cook & Son to work for an outside Line. I have since been informed, that they are in connection with two British Lines members to the Atlantic Conference. This settles the matter.

Respectfully,

9888

Petitioner's Exhibit 931.

9889

G. No. 20.

NORDATLANTISCHER DAMPFER—LINIEN VERBAND.

Secretariat
 Telegramm-Adresse:
 Secretair-Jena

Jena, March 20th, 1908.

To the Parties to the Atlantic Conference.

Newyork—Continental Line. (G. No. 13.)

With reference to the proposed circular several lines have expressly and unconditionally consented, and others have made the reserve, that all lines join. From no Line I have received objections and it is therefore justified to say that all the Lines will send the circular to their agents.

9890

By one Line it is proposed that in the second Line of the German text behind the word "Verbindig" there be interpolated the words, "direct oder indirect."

I now await that the Lines with as little delay as possible will send out the circular and let me have a copy of it.

Respectfully,

H. PETERS.

9891

Would suggest Mr. Symth issue circulars and supply British Lines.

Circulars sent to agents as recd from Mr. Smyth on 25/3/08.

9892

Petitioner's Exhibit 932.*No. 21.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, March 23rd, 1908.

To the Parties

Russian Steamers.

9893

S. S. "Petersburg" of the Russian Volunteer Fleet left Libau March 16th with 289 souls, arrived at Rotterdam 19th and landed there 44 passengers for Argentine & Capetown via London. After having embarked in Rotterdam 50 steeragers she proceeded for Newyork on 21st afternoon.

The Holland American Line write it is reported that the Russian Volunteer Fleet after their sailing from Rotterdam on April 4th will have no departure within a month and that also the East Asiatic Company will have no sailing within 4 weeks. It is not stated if this applies only to Rotterdam or to Libau also.

Respectfully,

9894

H. PETERS.

Petitioner's Exhibit 933.

9895

No. 22.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 23rd, 1908.

To the Parties.

Statistical Returns. (G. 11 & 16.)

I received the following communications from the
 Allan Line:

9896

"* * * We would point out, however, that we strongly protest against the method you have adopted of combining the percentages of the Continental Lines with the Combine Lines in your Eastbound Returns. In all the Returns, the percentages of each Line should be shown separately, as otherwise it will be impossible to properly comply with article 11 of the General Pool Contract. Please give this matter your attention."

Anchor Line:

"* * * We have now before us your 'Weekly Statistics' for 1st—7th March, 1908, both Eastbound and Westbound. We desire to point out that we do not approve of the way you have shown the shares that some of the Lines are entitled to. In the case of the Anchor, Allan, Canadian Pacific and Cunard Lines in the Eastbound Return, we have nothing to say. But we do protest against the slumping of shares that you show in the case of the I. M. M. Co.'s and the N. D. L. V. Lines. We have to ask you to show each Lines' share

9897

Petitioner's Exhibit 933

9898.

separately and where a 'service' of a Line has a special share allotted to it that share and service should be shown distinct from other service the Line may have.

"We also consider that so far as the West-bound Return is concerned the I. M. M. Co.'s should apportion their 19.75% between the American Line, Dominion and White Star Lines and record the allotment. The N. D. L. V. Lines in our view should be asked to follow out the same plan."

9899

I await to hear what the other Parties have to say on the subject. A desire has been expressed to have the different Returns printed on different colored paper. This will be attended to.

Respectfully,

H. PETERS.

9900

Petitioner's Exhibit 1265.

9901

G. No. 23.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, March 24th, 1908.

To the Parties:

Competition against "Voluturno."

Yesterday I sent the following telegram:

9902

"All parties have agreed Hapag to meet Voluturno competition eleventh April by twenty-three Dollars rate, Hapag to be compensated for such reduction up to seven Dollars per adult by all Lines in proportion of their east-bound percentages."

which is hereby confirmed.

Respectfully,

9903

3301

9904

Petitioner's Exhibit 934.*G. No. 24.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 25th, 1908.

To the Parties.

Russian Steamers. (G. No. 21.)

9905 S. S. "Lituania" of the Russian East Asiatic S. S.
 Co. arrived from New York at Rotterdam on March
 23rd with 550 souls, debarked there 465 steeragers &
 proceeded the same day to Libau.

Respectfully,

H. PETERS,
 p P. P.

Petitioner's Exhibit 935.*G. No. 25.*

ATLANTIC CONFERENCE.

9906 Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 26th, 1908.

To the Parties.

Russian Steamers (G. No. 24.)

S. S. "Saratow" of the Russian Volunteer Fleet
 sailed yesterday from New York with 22 second class
 passengers & 1015 steeragers. About 300 transferred
 to S. S. "Estonia" of the Russian East Asiatic S. S.
 Co., which steamer leaves N. Y. on April 1st.

Respectfully,

H. PETERS,
 p P. P.

Petitioner's Exhibit 1266.

9907

G. No. 26.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 30th, 1908.

To the Parties:

Statistical Returns (G. 11, 16, 22)

On this point I received further the following tele- 9908
 grams from Cunard:

"As in each of the eastbound and westbound statistics returns received up to date we are shown as plus we consider it absolutely necessary to enable us to review position in terms of general contract that each single line's percentage be shown separately."

Canpac:

"Referring your wire regarding Cunard contention we also strongly urge each Line's percentage should be shown separately."

9909

As to the eastbound percentages for N. D. L. V. and Immco being shown as one this is only temporary and they will appear in the statistics as two separate parties as soon as a slight difference that has arisen between them is settled, which I trust will be very soon.

But what is wanted is, that the percentages of the individual N. D. L. V. Lines and of the individual I. M. M. Co. Lines and the position of each of them towards their share be shown. The general feeling is evidently that the pooling arrangement cannot work

Petitioner's Exhibit 1266

9910

satisfactorily unless that be done. The Canadian Pacific Ry. Co., write:

9911

"We strongly urge that the percentages shown in the first page of Eastbound statistics should be given for each Line showing separately the percentage for each Line of the I. M. M. Co. as well as the N. D. L. V. Cos., so that the Lines may correctly ascertain their position in relation to each other. We most particularly urge that in any case the percentage pertaining to the Canadian Line of the I. M. M. Co., be stated so that all the Canadian Lines may know the position relative to each other."

The N. D. L. V. Lines are quite willing to appear in the statistics with their percentages individually if the I. M. M. Co. are agreeable as far as their different Lines are concerned.

I therefore submit to the I. M. M. Co. Lines to reconsider if, quite apart from the question of their being bound to do so, it would not be to the interest of all concerned, to meet the wishes of the other Lines.

Respectfully,

9912

Petitioner's Exhibit 936.

9913

G. No. 27.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 30th, 1908.

To the Parties:

Advance in Continental rates.

On Thursday last I informed the Parties that the Continental Lines intended to advance steerage rates all round four dollars except for Continental steamers sailing about same date as steamers of opposition lines, and that they further intended to advance westbound steerage rates all round by ten marks, requesting British Lines to increase their eastbound and westbound Continental steerage rates accordingly. 9914

Today I wired as follows:

"All lines have agreed immediate advance Continental steerage rates eastbound four dollars, westbound ten marks."

to which I beg to add that the Allan Line has excepted their Havre direct service. The traffic on this service being comparatively small and besides being in the Pool I considered it not desirable to delay the advance further and therefore did not mention the exception in my telegram. I hope there will be no objection and the advance will have been put in operation already on receipt of this circular letter. 9915

Respectfully,

9916

Petitioner's Exhibit 937.*G. No. 28.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 31st, 1908.

To the Parties:

New York and Continental Line.

Messrs. Ismay, Imrie & Co., Liverpool send me
 copy of a letter received from their London E. C. of-
 9917 fice, reading:

"We enclose card of the New York & Con-
 tinental Line who have opened an Agency here,
 and are attempting to book passengers through
 from London to Halifax & New York. The
 Agents are Messrs. C. Morris & Coy, 88
 Fenchurch Street, and their office was opened
 today. They have no fares in print, but are
 quoting £5.5.0 London to New York and £5
 London to Halifax steerage and £7.10.0 2nd
 Class to either port. Passengers for New
 York are not forwarded by rail from Halifax,
 but stay on board the steamer until her arrival
 9918 at New York. You will notice that the card
 does not bear any agency name. We do not
 think they will succeed in getting any business
 from London, but will continue to watch the
 situation, and advise you of any developments.
 "No doubt you are being posted by your Rot-
 terdam Agents as to what is going on there in
 connection with this Line."

The card referred to is a time table showing fort-
 nightly sailings beginning westbound March 21st from
 Rotterdam up to July 11th and eastbound from New
 York April 9th, up to July 30th.

Respectfully,

H. PETERS.

Petitioner's Exhibit 1267.

9919

G. No. 29.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, April 1st, 1908.

To the Parties :

Competition against "V'olturno." (G. No. 23.)

9920

On 30th ultimo I wired that after a general advance in eastbound continental rates had been agreed their compensation of seven dollars must be increased to eleven Dollars if the Parties wish them to continue a \$23 rate for their steamer Pretoria in opposition against Volturmo April 11th. To this I received the following replies :

Lloyd (Translated) :

"Upon reconsidering the question of compensating an excess party for quoting a fighting rate we cannot assent to Hapags proposal. As to scruples regarding measures as resolved in this case we refer to our to-day's letter." 9921

Anchor :

"As Hapag had agreed to oppose Volturmo on a seven Dollar compensation basis do not consider this should be disturbed now."

Ismay :

"Referring your telegram thirteenth think original arrangement for seven dollars compensation to Hapag should be adhered to in connection Volturmo competition."

9922

Petitioner's Exhibit 938

Allans :

"Having already agreed compensate Hapag our pool percentage seven dollars not inclined increase at present."

Americana (Translated) :

"With reference to eastbound reduction eleventh April and compensation of eleven dollars resulting from it we share Hapags views."

Star (Translated) :

9923

"Agree Hapags proposal regarding compensation eastbound in opposition to Volturno."

No reply so far from the Cunard Line and the Canadian Pacific.

I have informed Hapag that there are Lines differing from their view, and it rests therefore with Hapag if they will continue the \$23 rate or not.

Respectfully,

Petitioner's Exhibit 938.

9924

G. No. 30.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 2nd, 1908.

To the Parties:

Russian Steamers. (G. No. 25.)

S. S. Estonia of the Russian East Asiatic S. S. Co. sailed from Newyork April first with 1050 steeragers. 350 were transferred to S. S. Petersburg April eight.

Petitioner's Exhibit 939.

9925

G. No. 31.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 3rd, 1908.

To the Parties:

Advance in Continental Rates. (G. No. 27)

9926

Referring to the latter part of G. No. 27 I beg to add some remarks.

The first reply of the Allan Line with regard to the proposed advance was, that they were agreeable except for Havre direct service.

I then wired:

"In case your not joining proposed advance continental steerage rates for your direct Havre service should be the only obstacle would you insist?

to which I received Allan's reply:

"Cannot entertain increase Havre rate which was not reduced, when other Continental rates were."

9927

and the following letter of March 30th:

"We have your two wires—the first asking if we find it necessary to insist on maintaining our Havre rates at their present level even if all other Lines agree to advance Continental steerage rates—the second intimating that all Lines have agreed immediate advance of Continental steerage rates as proposed.

Petitioner's Exhibit 939

9928

"We regret that any difficulty should have arisen, but we think this is due to your having misunderstood our position. We never reduced the rates by our Havre service at the time when all the Continental Lines, with the possible exception of the C. G. I. made heavy reductions in their rates. The advance now proposed by the Continental Lines appears to be only a partial restoration of rates towards the level at which they were previous to reduction.

9929

"As regards all our other services except Havre, we are quite willing to make advances the same as agreed by other Lines, but as regards Havre, seeing that we did not follow the reductions, the other Lines can have no reason for calling upon us to advance until it is proposed to advance other rates to a higher level than that which existed before the reduction.

9930

"As to the advance by our services other than Havre, our latest advice is to the effect that the Canadian Pacific Rly. Company agree to the proposed advance only as regards United States business. We do not know what reason they have for wishing to maintain low rates from Canada, but if they adhere to this position, we must of course be at liberty to quote the same rates."

With reference to the last paragraph I have to advise, that the Canadian Pacific Ry. Co. whilst first limiting the advance to their U. S. Continental business in their last telegram they agreed to the proposed advance of Continental rates without reserve.

Respectfully,

Petitioner's Exhibit 940.

9931

G. No. 32.

ATLANTIC CONFERENCE

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 3th, 1908.

To the Parties:

Russian Steamers. (G. No. 30.)

S. S. Cherson (Russian Volunteer Fleet) sailed 9932
from Libou March 30th with 447 souls.

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
Recd. 6 Apr. 1908. Ansd.

9933

9934

Petitioner's Exhibit 941.*G. No. 33.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 4th, 1908.

To the Parties:

Statistical returns. (G. No. 26.)

The Anchor Line write:

9935

"We are pleased to see Cunard & Can. Pacific Lines have wired you on this subject and we again must press for each Contract Line to have its percentage quota published in your returns.

"We note that so far as the Eastbound returns are concerned the slumping of the N. D. L. V. & I. M. M. Co.'s percentages is only a temporary expedient to enable the companies time to overcome a slight difference that has arisen between them. We would point out however that this want of unanimity is of no concern to other Contract Lines and prevents these Lines from properly or satisfactorily working their business as required by clauses in Contract.

9936

"We do not see any use in our sending to you through the Liverpool Secretary any further returns until the N. D. L. V. and the I. M. M. Co.'s arrange to table their percentage quota for each of their several Lines.

"Your G. No. 27. We have duly cabled to New York and to our continental agents the advance in rates east and westbound recently arranged."

Defendant's Exhibit 25

9937

I do not think that the Anchor Line can justify to withhold the statistical returns, as for the differences amongst the lines there is the appeal to Arbitration, besides that Art 10 provides a fine of £5 a day for a line delaying the delivery of its statistics for more than 3 days.

Respectfully,

H. PETERS,

P. Rep.

Defendant's Exhibit 25.

9938

G. No. 34.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 6th, 1908.

To the Parties:
Filip Laszlo.

A certain Mr. Filip Laszlo has, it seems, written to several S. S. Lines asking for a subvention of a paper on emigration the issue of which, he says, is favored by the Hungarian Government. As equivalent for such subvention he holds forward, that he would write articles in it in favor of foreign *i. e.*, Non-Hungarian S. S. Lines. At the same time he offers his services as agent.

9939

All the Continental Lines have received letters of such content and so has the White Star Line. All of them have declined to enter on his proposal.

Respectfully,

H. PETERS.

9940

Petitioner's Exhibit 1268.*G. No. 35.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 6th, 1908.

To the Parties:

9941

Statistical Returns. (G. No. 33.)

I received today the following letter from Mr. Ismay, dated April 2nd:

"Referring to your circular letter G. No. 26 of the 30th ultimo and your previous communications regarding the I. M. M. Co.'s percentage of the Westbound and Eastbound Pools, while I am not prepared to admit that there is any obligation on the I. M. M. Co. Company to declare a percentage for each of the associated Lines, I am willing to fall in with your request, and name the following division, viz:

9942

	Westbound	Eastbound
American, Southampton	2.96	6.77
Liverpool	3.72	1.99
Dominion	4.47	1.51
White Star		
(New York & Boston)	8.60	19.75 15.56 25.83

"In doing so, however, I reserve the right to alter these figures from time to time, as I may consider necessary, and only consent to

Petitioner's Exhibit 1268

9943

name an allotment to each company in the desire to met the views of the other Lines as far as possible."

All parties no doubt will be glad, that the difficulty that had arisen as to each Line's percentage being shown has been overcome to the extent as stated above, and I shall now ask the N. D. L. V. Lines their assent to show also their individual shares.

As to the right reserved I am awaiting to hear whether there is anything to be said against it.

From G. No. 33 Parties know that there is still a very small difference as to eastbound percentages between the I. M. M. Co. and the N. D. L. V. which will be referred to arbitration these very next days. As it is a simple case not requiring much studying on the part of the arbitrator, I think the point in dispute will be decided in latest a fortnight. I would therefore propose that I be permitted to delay the eastbound monthly statement for March which under Art. 10 has to be issued not later than April 15th a few days longer. In the meantime I would, if not objected to, inform the Lines privately and without prejudice of the position of each Party in the eastbound Pool. 9944

Respectfully,

H. PETERS.

9945

9946

Petitioner's Exhibit 942.*G. No. 36.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 8th, 1908.

To the Parties:

Russian Steamers. (G. No. 32.)

9947 S. S. "Cherson" (Russian Volunteer Fleet) arrived at Rotterdam on April 3rd with 384 steeragers from Libou. Embarked at Rotterdam 70 steeragers and proceeded April 5th for New York.

S. S. "Saratow" (Russian Volunteer Fleet) arrived at Rotterdam on April 5th with 1015 steeragers and 22 second class passengers from New York, landed 950 steeragers and proceeded April 6th for Libau.

Petitioner's Exhibit 943.*G. No. 37.*

ATLANTIC CONFERENCE.

9948 Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 8th, 1908.

To the Parties:

New York & Continental Line.

S. S. "Avoca" left Rotterdam on April 4th for Halifax; she had on board 22 steeragers of which 10 sailed to Halifax; besides 2 cabin passengers for New York

Petitioner's Exhibit 1269.

9949

G. No. 38.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 8th, 1908.

To the Parties:

Competition for Continental eastbound steerage business via Mediterranean Ports. Johnson & Co.

9950

On 5th inst. Hapag & Lloyd notified that they had received the following identic cables from their New York representatives:

"Johnson, General Agent, East Asiatic, issued circulars allowing agents book 'Re d'Italia' (Lloyd Sabaudo) April 9th to Triest and Fiume \$23, Oderberg. Basel \$24, Krakau, Wien \$25, Budapest \$26, Prag \$27, Agram \$28, Commission three dollars, instruction draw orders on Asiatic blanks. Johnson also General Agent Scandinavian and Subagent British Lines."

9951

I passed it on to the Secretary of the British Lines adding: "Have British Lines any proposal to make?"

This morning I received the following telegram from Mr. Symth:

"Referring your telegram *re* Johnson New York instructing agent book Lloyd Sabaudo Line reduced rates. Lines have no definite information from American representatives. In view circumstances consider matter should be

Petitioner's Exhibit 1269

9952

referred immediately New York Conference for action and am wiring New York Conference terms your message."

It is evident that the action of Johnson & Co. will, if successful very seriously interfere with the interests of the Lines in the Atlantic Conference, the more so as it may induce other Italian Lines under the present circumstances to take the same course.

9953

It would therefore be well if the British Lines could see their way, to induce Johnson & Co. to desist from booking continental passengers via Italian ports. Perhaps they could further in view of their friendly relations with the Scandinavian American Line, use their influence that this Line takes similar steps. I have also tried to find out whether there is a chance that the Russian East Asiatic Co. might be willing to fall in, as they are also directly interested with their east-bound traffic via Rotterdam.

9954

I am not informed how far clause 20 of the Byelaws of the Atlantic Conference Contract can be made applicable to the present case. But it seems to me, if under the pooling arrangement it is not possible to get a better control of the agents working for the Parties, so as to prevent them from working for outside competing Lines, then the contract will fail in the hoped for result of obtaining higher rates, for the uncontrollable agents will always find it to their interest to attract and to encourage competition.

Respectfully,

(Stamped): North Atlantic Received 10/4 1908.
Ackn'd Do 1908. Answered Do 1908, Passenger Conference.

Petitioner's Exhibit 944.

9955

G. No. 40.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, April 9th, 1908.

To the Parties:

Russian Steamers. (G. No. 37.)

S. S. "Petersburg" left New York April 8th with
1173 steeragers.

9956

S. S. "Korea" of the Russian East Asiatic S. S. Co.
left Libau April 6th with 365 steeragers and four cabin
passengers for New York via Rotterdam.

Petitioner's Exhibit 945.*G. No. 41a.*

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, April 13th, 1908.

9957

To the Parties:

Russian Steamers. (G. No. 40.)

S. S. "Korea" of the Russian East Asiatic S. S.
Co. arrived at Rotterdam from Libau April 9th with
365 steeragers and 4 cabin passengers, of which she
landed 147 steeragers destined for Cape Town and
Argentine Republic, embarked 30 passengers and pro-
ceeded April 11th to New York.

9958

Petitioner's Exhibit 946.

G. No. 42.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, April 14th, 1908.

To the Parties :

9959

New York Continental Line.

S. S. "Volturno" sailed from Newyork on the 12th instant with 450 steeragers ; another report states 478.

9960

Petitioner's Exhibit 947.

9961

G. No. 43.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, April 15th, 1908.

To the Parties :

Referring to the last part of G. No. 35 I beg to
 inform the parties that the position in the eastbound 9362
 Pool on April 7th is very approximately :

	Excess	Shortage	
Hamburg American Line		2068	
Holland American Line	761		
Norddeutscher Lloyd	2110		
Red Star Line		1141	
Allan Line		1281	
Anchor Line	628		
American Line	191		
Dominion Line		415	
White Star Line		734	
Canadian Pacific Ry. Co.	116		
Cunard Line	1833		9963
	<hr/>	<hr/>	
	5639	5639	
	<hr/>	<hr/>	

I beg to repeat that these figures are given in the
 way of private information and without prejudice to
 any Line's rights.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
 Recd. 18 Apr. 1908. Ansd.

9964

Petitioner's Exhibit 948.*G. No. 44.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 16th, 1908.

To the Parties:

Russian Steamers. (G. No. 41.)

9965 S. S. "Estonia" of the Russian East Asiatic sailed
 from Newyork April 2nd and arrived at Rotterdam
 April 12th with 1050 passengers. Landed 920 and
 proceeded April 14th to Libau.

Petitioner's Exhibit 949.*G. No. 45.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 18th, 1908.

9966 To the Parties:

"Avoca."

I beg to confirm my yesterday's telegram reading:

"Continental Lines propose compensate
 Lloyd steamer Seydlitz Dollars five per adult
 fighting against Avoca eastbound twenty-third
 April provided British Lines join pro rata their
 percentage. Please wire."

to which have replied:

- 1) Allans: 17/4. 11.55 V.

"Do not object provided all other British Lines agree."

- 2) Anchor: 17/4. 12.32 V.

"We agree proposal *re* Seydlitz opposing Avoca 23 April compensating 5 dollars per adult pro rata percentage provided other lines' assent obtained, we understand Lloyd reduce their rate by five dollars."

Respectfully,

9968

- 3) Canpac 18/4th 1 P. M.:

"Your telegram seventeenth regret cannot agree participate in compensating Lloyd steamer 'Seydlitz' fighting against 'Avoca' east-bound."

- 4) Ismay 18/4th 1.53 P. M.:

"Are prepared compensate Lloyd's five dollars per adult for sailing Seydlitz April twenty-third, provided all other British Lines agree."

As the Canadian Pacific Ry. do not agree with the Continental Lines proposition, the question of a \$5 compensation for S. S. Seydlitz 23rd instant must be considered as fallen through.

9969

- 5) The reply from the Cunard Line is just received, reading:

"Provided all Lines approve we agree compensate Lloyds steamer 'Seydlitz' 23rd April up to five dollars."

Jena, April 18th, 1908.

9970

Petitioner's Exhibit 950.*G. No. 46.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 18th, 1908.

To the Parties:

9971

Allan's Line's Havre rate. (G. No. 41a)

Please have corrected G. No. 41 dated April 13th
 to G. No. 41a.

The Allan Line write April 14th:

9972

"We have yours of 8th inst. (G. No. 41). We think the position in regard to our Havre service should be perfectly clear from what we have already written on this subject. Since we began carrying steerage passengers by our Havre service, the rate has been 140 francs from Havre, and during all the fluctuations that occurred since that time it has remained unaltered. Last summer, the rate from other Continental ports was 130 marks. This rate was reduced by rate cutting which took place before the Conference meeting in London to less than 120 marks. The latter rate has now been restored by general agreement to 130 marks. It is surely clear that as the Havre rate was never reduced, it does not require to be increased now in order to maintain the basis existing before the rate war.

"The same position applies as regards East-bound business. Last summer the Eastbound

Petitioner's Exhibit 951

9973

rate by Continental Lines was 30 dollars which was reduced by rate cutting to 24 dollars and upwards, and has now been restored under agreement by the Lines to 30 dollars, while the rate in force Eastbound to Harve by our service to that port has remained throughout at 27 dollars 50 cents."

Respectfully,

Petitioner's Exhibit 951.

9974

G. No. 47.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, 21 April, 1908.

To the Parties:

"Jelunga."

9975

S. S. "Jelunga" of the New York and Continental Line left Rotterdam on April 18th with 19 steeragers for Halifax & 6 for New York.

Hapag has following cable from New York: Avoca arrived Halifax April eighteenth with broken main steam pipe, will repair Halifax, departure hence uncertain.

9976

Petitioner's Exhibit 952.*G. No. 48.*

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 23rd, 1908.

To the Parties:

Statistical Returns (G. No. 35.)

9977

With reference to G. No. 35 I beg to state that the Continental Line's percentages henceforth will be shown separately for each Line in the statistics. I have however to notify that the Hamburg American Line and the Holland American Line reserve the same right as the I. M. M. Company and that the Nord-deutscher Lloyd takes it for granted, that such alterations of the percentages as the I. M. M. Co. have reserved the right of can only take effect at the beginning of a year.

9978

The small difference on percentages between the I. M. M. Co., and the N. D. L. V. Lines will, I expect, be settled in the course of this week and I will then submit fresh proofs of the Agreements with proposed alterations for consideration and if there are no objections then, I will have them printed definitely. If any of the Lines wish to get copies interleaved with blank paper I shall be obliged for stating the number of such copies.

Respectfully,

Petitioner's Exhibit 953.

9979

G. No. 49.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 23rd, 1908.

To the Parties:

Weekly Statistics, Eastbound.

9980

I beg to inform the Parties that the position in the
 eastbound Pool on April 15th is very approximately:

	Excess	Shortage	
Hamburg-American Line		839	
Holland-American Line	1287		
Norddeutscher Lloyd	3392		
Red Star Line		1987	
Allan Line		1574	
Anchor Line	446		
American Line		86	
Dominion Line		584	
White Star Line		1965	9981
Cunard Line	2264		
Canadian Pacific Ry. Co.		354	
	<hr/>	<hr/>	
	7389	7389	
	<hr/>	<hr/>	

These figures are given in the way of private information and without prejudice to any Line's rights. Henceforth the exact figures for each Line from the beginning will be shown in the statistics.

Respectfully,

9982

Petitioner's Exhibit 1270.*G. No. 50.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 23rd, 1908.

To the Parties:

9983 *Continental Passengers by Italian Lines (G. 38)*

The Hamburg-American Line send me a Circular
 of A. E. Johnson & Co., of which the following is a
 copy:

Russian East Asiatic S. S. Co., Ltd.

Russian-American Line
 Direct Service Libau-New York

Rotterdam-New York Line
 Direct Service Rotterdam-New York

Cable Address:

9984 Maxolaf
New York.

A. E. Johnson & Co. Gen. Pass. Agts.
 1 & 27 Broadway.

New York, April 3rd, 1908.

To our Agents:

You can book for the S. S. Re'd'Italia from Penn-
 sylvania Dock B. Jersey City on Thursday, April 9th
 at 2 P. M. at the following rates:

	Gross	Commission	Net
Budapest	26.00	\$3.00	23.00
Fiume	23.00	"	20.00
Trieste	23.00	"	20.00
Basel	24.00	"	21.00
Prague	27.00	"	24.00
Oderberg	24.00	"	21.00
Agram	28.00	"	25.00
Vienna	25.00	"	22.00
Krakau	25.00	"	22.00

Advise us immediately how many we may expect from you as the Steamer will run full and we cannot transfer any passengers. 9986

Draw orders on R. E. Asiat. S. S. Co. blanks. These rates apply to April 9th sailing only.

Yours very truly

A. E. JOHNSON & CO.

This is the circular to which my telegram of 5th inst. and circular Letter G. No. 38 referred. The Lines interested in Mediterranean business have in the mean time seen from Mr. Crespi's letter to Mr. Ballin that the Italian Lines have instructed their agents in New York to accept Greek and Austrian steerage via Naples or Genoa, in order, as he puts it to protect their interests against the American, the French and the Austro Americana Lines. 9987

What the result has been for the Re d'Italia I do not know, as only the total number of steeragers (2050) is given and nothing special is stated about continentals. Neither did I hear, that other Italian Lines have taken similar measures or that it is going to be continued for the Lloyd Sabaudo sailings except that in a cable which Hapag received from New York on

9988

Petitioner's Exhibit 1270

18th inst. a "rate of twenty dollars to the Continent" is mentioned.

I beg to add what the Anchor Line answer to G. No. 38:

9989

"We look upon the danger of this move on the part of an Italian Line with great concern. We learned here the other day it was the intention of a Line in the Adriatic to at once go into competition with the North Atlantic Companies for Eastbounders whose homes were in Eastern and South Eastern Europe. We have no objection to drastic measures being adopted against any agents in the United States, who strive to take business out of its usual channel and we expect to learn from New York that Messrs. Johnson & Co. will have to cease the action complained of in your telegram, or be totally disqualified by all British Lines. As you say we on this side might bring pressure on the Scandinavian-American Line though we fear Messrs. Johnson are more than general agents of that Line.

9990

"We agree with the view you express in the last paragraph of your letter. Should the Contract Lines not take immediate action to remedy any inadequacy in the Contract that militates against its members being able to control agents or general agents either in Europe or in the United States?"

Respectfully,

P. S. Please alter the number of the supplement sheet G41 into G45.

Petitioner's Exhibit 954.

9991

G. No. 51.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 23rd, 1908.

To the Parties:

Russian Steamers (G. No. 44).

9992

S. S. "Cherson" of the Russian Volunteer Fleet
 sailed from New York to Rotterdam April 22nd with
 802 steerage and 23 cabin passengers.

9993

9994

Petitioner's Exhibit 955.*G. No. 52.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 24th, 1908.

To the Parties:

9995 *Compensation for fighting rates (G. No. 45 & Suppl).*

The Hamburg-American Line write:

"We beg to acknowledge receipt of your telegram of the 19th inst. reading:

'Canpac wires, your telegram 17th, regret cannot agree participate in compensating Lloyd steamer Seydlitz fighting against Avoca eastbound.'

"and must say that its contents surprise us and are probably to be attributed to a misunderstanding.

9996

Canpac seems to overlook the fact that Lloyd is stepping into the breach for the whole pool and must be compensated by the whole of the pool for reducing its rate for this steamer in the general interest. It will be best seen to what result such a measure leads between the Continental Lines and the British, and specially too for the Canpac, by opposing our Pretoria April 11 against "Vultorno" April 11. The eastbound fare of by the Pretoria amounted to \$30 and was raised subsequently to \$34, to be able to take up the combat with Vultorno, the pool demanded that Hapag should go down

to \$23 and offered to pay the difference between 23 and 30 dollars=\$7 to Hapag. Owing to the Pretoria's low rate of \$23 Volturno left New York with only a scanty number of passengers viz. 450, whereas Pretoria received 2374 and was obliged in addition to surrender to the Rotterdam Line about 400 who were in excess. Therefore, one may reckon that through this measure at least 2000 passengers were saved for the pool, who otherwise would have been lost to outsiders. This leads to the following result:

"For reducing Pretoria rate, the pool parties give a contribution of 2000 passengers @ \$7=\$14,000—M. 56,000, of these M. 56,000 the British Lines pay:

9998

54.32% = M. 30419
the Continental Lines 45.68% = M. 25581
Canpac 4.49% = M. 2514 M. 2514

In consequence of the joint action the total pool wins 2000 passengers, of which the British Lines receive 54.32% = 1186 passengers.

the Continental Lines 45.68% = 914 passengers.

the Canpac receives 4.49% = 90 passengers.

9999

The 90 passengers of Canpac have a compensation value of £4 = M. 80—

M. 7200.

So that by this transaction Canpac has won equal to 186% of the M. 2514 spent.

M. 4486

"In view of this result which is so evident, to which of course must be added the moral effect that the competition was prevented from taking 2000 passengers from the pool, we fail to understand Canpac's reply and beg the

10000

Petitioner's Exhibit 955

Canpac for information as to the grounds on which it has declined this measure, which in itself is a matter of course and provided for by the Contract (Min. 10 By-laws)."

On April 19th I wired Canpac:

"All Lines having agreed compensating Lloyd for opposing Avoca will you alone obstruct?"

10001

In the meantime the Parties have been informed by wire on 22nd that all Lines have agreed to compensate Lloyd five dollars per adult for opposing Avoca.

Respectfully

H. PETERS.

P. S. Seydlitz left New York yesterday with 1943 steeragers.

Canadian Pacific 22/14 9.59 A. M.

"All Lines having agreed compensate Lloyd opposing Avoca we will concur."

10002

Petitioner's Exhibit 956.

10003

G. No. 53.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 25th, 1908.

To the Parties:

Opposition to New York & Continental Line.

10004

I received the following letter from *Hamburg Amerika Line*:

"Our New York house writes us under the 14th inst. as follows:

"In pursuance of our cable of the 13th inst., notifying you that steamer *Volturmo* sailed on the 14th inst. with 473 passengers we beg to inform you, that the New York and Continental Line had at the beginning prepared themselves for S. S. *Volturmo* for 1400 passengers, but soon came down in their expectations to 700 until at last even this calculation turned out to be wrong. Our *Pretoria* which left here this afternoon has 2327 steeragers on board, while 400 passengers, which were overbooked, will be transferred to S. S. *Noordam* sailing hence tomorrow. We therefore are of the opinion that the first fight against the New York and Continental Line has been excellently won."

10005

Respectfully,

10006

Petitioner's Exhibit 1271.*G. No. 54.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 25th, 1908.

To the Parties:

10007

Continental Passengers by Italian Lines (G. No. 50).

Referring to G. No. 50 Lloyd's send me a joint
 circular dated April 9th, issued by

Hartfield Solari & Co. General Agents N. G. I., La
 Veloce & Italia.

C. B. Richard & Co. General Agents Lloyd Italiano.

Cesare Conti, General Agent Lloyd Sabauda,
 by which their agents are authorizel to book steerage
 passengers at the following rates to

Triest & Fiume	\$20.
----------------	-------

Vienna & Budapest	\$23.
-------------------	-------

Prague	\$24.
--------	-------

Basel	\$21.
-------	-------

10008

Commission \$2 per adults.

While their rates to Italian points continue:

Genoa, Naples \$15, Palermo Messina \$18.

there is a further reduction of \$3 to the above
 continental points against the rates as given by A. E.
 Johnson & Co. the reduced rates are advertised for
 the following sailings:

"Ancona" (Italia) from Philadelphia April 22.

"Florida" (Lloyd Italiano) from New York April

25.

"Nord America" (La Veloce) from New York
 April 29.

Petitioner's Exhibit 1271

10009

"Principe di Piemonte" (Lloyd Sabaudo) from New York April 30.

"Campania" (Navigazione Gen. Ital.) from New York May 2.

If the move of the Italian Lines has been a success, which by this time the Lines probably will know, I think the Anchor Line was right in saying that the danger must be looked upon with great concern, by all the Lines of the Atlantic Conference and I beg to submit, whether it would not be practicable, that those of them, engaged in Mediterranean business and having sailings about the same dates as the above Italian steamers, reduce their Italian rates by \$3 and that the resp. Lines are compensated by the Atlantic Conference. Of course it is true there would be no direct equivalent for the A. C. but it would be a reprisal which might make the Italian Lines feel sore and bring the present state of things sooner to an end. Cheaper and more efficient from every point of view it would be, if the A. C. Lines would promptly disqualify any of their U. S. agents who give Continental business to Italian and other outside Lines, but for such action even if all Lines were disposed, time might be too short.

10010

Respectfully,

H. PETERS.

10011

10012

Petitioner's Exhibit 957.*G. No. 55.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 25th, 1908.

To the Parties:

Monthly Statements.

10013

Today I beg to send the Monthly Statements for March, which I think require no explanation. In conformity with the Summary I have to request for the following payments being made:

Anchor Line to Allan Line £1751.
 Anchor Line to Continental Lines £74.
 American Line to White Star Line £1003.
 American Line to Continental Lines £712.
 Dominion Line to White Star Line £1941.
 Cunard Line to Continental Lines £8760.
 Canadian Pac. Ry. Co. to Continental Lines £268.

10014

For the payments to the Continental Lines the resp. Lines will please send their checks to me.

Article 8 rules that "such payments have to be effected within a fortnight after receipt of the Secretary's notice."

Will the Parties please inform me when the payments have been made and received.

Respectfully,

H. PETERS.

Petitioner's Exhibit 958.

10015

G. No. 56.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 25th, 1908.

To the Parties:

Russian Steamers (G. No. 51).

10016

S. S. "Petersburg" of the Russian Volunteer Fleet
arrived at Rotterdam April 20th with 1180 steeragers
& 20 cabin passengers from New York. Landed
1100 passengers & proceeded April 23rd to Libau.

10017

10018

Petitioner's Exhibit 960.*G. No. 57.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 27th, 1908.

To the Parties:

Regulating steerage rates for adjustment purposes.

10019

The Allan Line write:

10020

"We are must surprised to learn from memoranda circulated by the Secretary of the Liverpool Conference that some of the Continental Lines, including the Hamburg American and Red Star, propose to reduce their Eastbound steerage rates. It was only recently that we were asked, and agreed, to join in a general advance of Eastbound rates by four dollars, and we agreed to this, although it was evident at the time that we were carrying less than our proportion of passengers in the Eastbound Pool. As we understand it, the principle of the Pool is that when it is necessary to take steps to rectify the percentages actually being carried by any of the Lines, this shall be effected whenever possible by an advance of rates by the Lines which have over-carried their percentages rather than by a reduction of rates by Lines which have under-carried. We think this was clearly understood by all the Lines parties to the Pool at the recent Conference in London, and we fail to see how on any

other basis the Pool can work to the general advantage of all the Lines concerned. Acting on this principle, we have hitherto maintained our Eastbound steerage rate, although very considerably below our Pool percentage, in the belief that other Lines which have over-carried would presently take steps to put matters right by advancing their rates. We have now to suggest that instead of any of the Lines making reductions, all the Lines which have over-carried to any considerable extent should be called upon to advance their rates."

10022

What the Allan Line say is certainly quite correct, but it has to be considered that it is due to the present competition in eastbound traffic, if the intentions of the pool cannot be fully realized. It would be preposterous to enforce rules when it would only serve to facilitate the position of the competing Lines and to increase the sacrifices which all the Parties have thought necessary in order to oppose them.

The I. M. M. Co. Lines, probably considering that, though they are short, it should not be opportune to ask the Continental Lines for an advance, have reduced their Continental rate to \$28 of which I informed the Parties by passing on to them the following telegram from

10023

Ismay 25. 4. 2.50 P. M.

"We advance continental westbound rates all ports 150 Marks excepting the Cherbourg rate American White Star Southampton 140 Marks also reducing eastbound continental rate basis 28 dollars Hamburg, White Star, Dominion, American Philadelphia service."

I further confirm the following telegram from

10024

Petitioner's Exhibit 1272

Cunard 26. 4. 12.1 P. M.;

"Have advanced all continental prepaid rates via Liverpool to dollars thirty-six and a half."

Both these telegrams show that under ordinary circumstances the Pool will have the desired effect.

I beg to mention on this occasion that whatever change is made in cash rates, the prepaid rates must be changed simultaneously.

Respectfully,

H. PETERS.

10025

Petitioner's Exhibit 1272.

G. No. 58.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 28th, 1908.

10026

To the Parties:

By bookpost registered I beg to send 3 copies each of revised Proofs of Agreements Y., A. A. & Z. with Appendices and bye-laws, the following alterations having been made:

Provisional Agreement Y Agreement Z with Appendices A & B & Appendices A to Agreement AA and Bye-laws wherever the words "General Pool" occur they have been substituted by "Atlantic Conference."

Clause 11 in Agreement Z has been made the same as the first paragraph of Art. 27 in Agreement AA., so that in both Agreements the clause of notice to be given is the same.

In Agreement AA the amendments as proposed in circular letter G No. 14 have been entered as well as the note by which Canpac joined the Agreement as per circular G. No. 3.

The percentages entered under Art. 3 are still to be revised in accordance with the final statistics of the Secretary of the Newyork Conference.

As to Art. 27 I beg to submit for consideration the following addition to the second paragraph of this Article after the words "all obligations" viz:

10028

"except from the obligation to pay the compensation amounts incurred under this contract."

I shall be glad to hear whether this is agreeable and also whether the aforesaid alterations are accepted, so that the agreements made be printed definitely as soon as the percentages are settled.

If not objected to I shall have the Agreements Y, Z & A. A. with appendixes bound in *one*.

Respectfully,

10030

Petitioner's Exhibit 959.

Passenger.

May 14th, 1908.

H. Peters, Esq.,
 Secretary's Office,
 Atlantic Conference,
 Jena.

Dear Sir:

10031

We beg to acknowledge receipt of your circular letter of the 28th ulto., reference No. G 58 and also copies of the revised proofs of Agreement Y, AA & Z with appendices and bye-laws, for which we thank you.

The suggested addition to article 27 of the words: "except from the obligation to pay the compensation amounts incurred under this contract" would appear advisable, and with which we agree.

In connection with the paragraph referred to in your G No. 14 and inserted at the foot of page 4 of agreement AA reading:

10032

"The Cunard S. S. Co.'s Adriatic Service, the Allan Line's Canadian Services, and the Canadian Pacific Railway Co. (Atlantic Steamship Lines), are not covered by this contract as far as westbound business is concerned."

the reference to Cunard S. S. Co.'s Adriatic Service being exempted from the contract so far as westbound business is concerned is liable to lead to some misconception, as appendix "A" to agreement "AA" directly covers this Service, and we therefore suggest that a clause be inserted immediately after the paragraph above referred to reading:

"Except for the conditions attached to the Cunard S. S. Co.'s Adriatic Service provided for in Appendix 'A.'"

Petitioner's Exhibit 961

10033

As regards clause 2 of Agreement "Z" we would refer you to our letter of the 1st instant wherein we pointed out that the Cunard Line carryings require to be excepted from the traffic on which the Canadian Lines' percentage is based.

We return you herewith copies of the Agreements referred to in which we have corrected several Printer's errors, and also inserted the clause referring to the Cunard S. S. Co.'s Adriatic Service, and with which we trust the other Lines will be in accord.

Yours faithfully,

For Ismay, Imrie & Co.,

(Itld) T. C. S.

10034

Petitioner's Exhibit 961.

G. No. 59.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 29th, 1908.

To the Parties:

10035

Newyork & Continental Lines (G. No. 47).

S. S. "Vulturno" sailed from Newyork with 450 steeragers landed her passengers April 26th at Hoek van Holland. The passengers were forwarded via Rotterdam to their destinations and the steamer proceeded for Hamburg the same day.

10036

Petitioner's Exhibit 1273.*G. No. 60.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 30th, 1908.

To the Parties:

10037

*Continental Passengers by Mediterranean Lines (G.
 No. 54).*

The Hamburg American Line write me a letter of
 which the following is a translation:

"When lately the fight in Italian business began the Continental Lines issued a Circular to the New York Conference Agents to the effect that they must not book eastbound third-class passengers to Continental points via Italian ports. This circular has been met by the six Italian Lines by the following publication:

10038

'Special Notice. New York, April 14th, 1907. Dear Sirs. All agents are hereby notified that they may book (via Genoa or Naples) third-class passengers destined to Continental Points, no matter whether they are Austrians, Croatians, Dalmatians, Galicians, Germans, Hungarians, Russians or Slavonians. Yours truly, (Signature of the six Italian Lines.)'

"The Newyork Conference agents thereby are in a peculiar situation; for what on the one hand they are prohibited, they are on the other hand invited to."

The circular of the Continental Lines referred to above is dated April 9th, the same day when the circulars (G. No. 54) of the Italian Lines were issued.

I am not aware if the N. A. P. C. Lines have issued a similar circular. If they have, it would have been more impressive if the circulars had been a joint one. If such circulars were enforced, promptly, in a few cases only other agents doing Continental business would hardly risk to lose the facility of booking their Continental passengers by 14 Lines, each of which offers more convenience and, under normal circumstances, cheaper rates than the Italian Lines. It would not even be necessary to disqualify an agent but simply a notice to him by each line, that Continental business will not be accepted from him.

10040

Since there is a pool all the members of it are likewise interested that no part of the business that comes under the pool is diverted to outside Lines and no Line can afford to stand aloof, arms crossed, or to pursue purely individual interest in opposition to the interests of the pool or it will experience that in the long run it has acted against its own interests.

In this connection I would say that justified though it was that the British Lines advanced their rates from the Continent for the purpose of adjustment, still it would have been preferable if they had made no change in their Libau rate. Business from those parts of Russia gravitating to Libau will now be lost to the Russian Lines.

10041

Respectfully,

(Stamped): North Atlantic. Received 1908.
Ackn'd 1908. Answered 1908. Passenger Conference.

10042

Petitioner's Exhibit 962.*G. No. 61.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 1st, 1908.

To the Parties:

Regulating steerage rates for adjustment purposes.
(G. No. 57.)

The Allan Line write:

10043

"Referring to our letter of 23rd inst., we have since received intimation that a number of other Lines have reduced their Eastbound rates, and we are today advised that the C. P. R. have reduced their Eastbound Continental rate to 28 dollars. In view of this state of matters, it would be absurd for us to continue our existing rate undiminished, and we are, therefore, today advising our agents in Canada to reduce their Eastbound rate to the level of their competitors.

10044

"While we find ourselves compelled to meet these reductions in this way, we still hold that the adjustment of percentages in the Pool should have been brought about by an advance in rates by overcarried Lines, rather than a reduction by the others, and we wish to protest against the reductions which we are now compelled to follow as unnecessary and contrary to the spirit of the Pooling Agreement. We strongly urge that Conference should take action in the matter in accordance with Article 11 of the agreement."

I shall be obliged for getting the views of the other Parties or any proposals they may have to make.

Respectfully,

H. PETERS.

Petitioner's Exhibit 963.

10045

G. No. 62.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 2nd 1908.

To the Parties:

Direct Steamship Line Gothenburg-Newyork. 10046

The "Hamburger Fremdenblatt" of April 30th has
the following communication:

(Translation)

"Direct Steamship Line Gothenburg-Newyork. The promoter of the Swedish-South-african-Australian Steamship Line, Shipowner W. Lundgren in Gothenburg has submitted to the Swedish Government a scheme for establishing a direct Line between Gothenburg and Newyork. It is proposed to procure 4 steamers of 10-12000 Tons and 18 knots, half for account of American and half for account of Swedish shipowners. The steamers are to make the trip in 9 days and to serve as auxiliary cruisers for the Swedish navy. We learn that negotiations are pending with the Morgan-Trust." 10047

Respectfully,

H. PETERS.

10048

Petitioner's Exhibit 1274.*G. No. 63.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 2nd, 1908.

To the Parties:

Monthly Account

10049

The Allan Line write:

10050

"Referring to the monthly statement for March which we have received, please note that the 'Sardinian' sailing on 5th March from London carried 105 Hirsch passengers. You have entered only 100 of these as to be dealt with under the special arrangement regarding Hirsch passengers, evidently under the impression that the numbers by any steamer should be limited to 100. Our understanding of this arrangement was that the total number in the season should not exceed an average of 100 per sailing—not that the arrangement should be strictly limited to the number of 100 by any steamer. As we had none of these Hirsch passengers by the "Pomeranian" leaving London on 26th March, we have not exceeded 100 per sailing, and we submit that we should, therefore, have received credit for the whole 105 as Hirsch passengers within the terms of the arrangement. Please let us hear from you as to the interpretation of this clause in the agreement as it may be of some importance to us in regulating the number of Hirsch passengers to be allowed to sail in any particular steamer."

Petitioner's Exhibit 964

10051

It seems Appendix A to Agreement Z is not clear. It says: "Not exceeding one hundred (100) passengers per sailing during the year 1908." I shall be obliged to hear from the Parties, whether they agree to the interpretation of the Allan Line, that *the average* per sailing for 1908 shall not exceed 100.

Respectfully,

Petitioner's Exhibit 964.

G. No. 64.

10052

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 4th, 1908.

To the Parties:

Compensation for fighting rates.

On April 29th I received the following telegram from

1) Americano: 29/4. 9.34 a. m.

"Newyork cabelt: Avoca sailing postponed till fünften Mai Beantragen unseren am sechsten Mai obgehenden Ryndam für General Pool-Rechnung ats Kampfdampfer anzusetzen, mit elf Dollar Entschädigung."

10053

which I passed on to the Parties and to which the following answers were received:

2) Anchor: 29/4 2.58 p. m.

"Avoca agreed seventeenth to compensate Lloyds steamer Seydlitz opposing her. Unless this is cancelled cannot entertain a second

10054

Petitioner's Exhibit 964

opposition, but in any case eleven dollars excessive."

3) Allans: 29/4. 4.11 p. m.

"If other Lines agree we agree compensate Ryndam five dollars based on current east-bound rate of twenty-eight dollars."

4) Ismay: 29/4. 4.20 p. m.

"Quite willing compensate Ryndam eleven dollars if all Pool Lines agree."

10055

5) Hapag: 29/4. 6.3 p. m.

"Agree compensate Ryndam sixth eleven dollars."

6) Canpac: 30/4. 11.59 a. m.

"Referring your telegram 29th we are agreeable compensate Holland Line eleven dollars their Ryndam May sixth opposing Avoca May fifth provided all Lines concur."

7) Star: 30/4. 6.22 p. m.

"We agree compensation eleven dollars Ryndam opposing Avoca provided all Lines concur."

10056

8) Cunard: 2/5. 2.40 p. m.

"Replying telegram 29 April Avoca competition presume Seydlitz arrangement is cancelled if so and all Lines approve we agree Ryndam proposition, is not however compensation proposed somewhat excessive?"

Several Lines not having agreed to Americanos proposal, others only conditionally and others not having replied at all, there will be no opposition against Avoca 5th May.

Petitioner's Exhibit 964

10057

Referring to telegram 2 from the Anchor Line I have to mention that the Anchor Line wrote April 24th:

"We beg to acknowledge receipt of your letter *G. No. 47* and note that the 'Avoca' has arrived at Halifax with machinery damaged. We assume that the 'Seydlitz' will not now require to reduce rate seeing she will have no opposition and that we will not require to enter further into the question of compensating to the extent of \$5 p. adult."

10058

to which Lloyd replied:

(Translation)

"* * * it goes without saying that we must insist on being compensated with \$5 per 1/1 for the passengers booked at the \$24 rate for SS 'Seydlitz.' All Lines have agreed to the compensation and as it is not our fault that the 'Avoca' could not leave on her appointed day, no Line can be serious in disputing our claim on compensation as fixed—for the rest it is not excluded that similar cases will repeat f. i. the Continental Line might postpone a sailing for several days in order to thwart the measures of the joint Lines."

10059

I beg to add that the Allan write in confirming their telegram 3:

"With regard to your telegram of date proposing to compensate the Holland Line to the extent of 11 dollars for opposing their 'Ryndam' to the 'Avoca,' we have to point out that as the result of the existing circumstances mentioned in your circular letter of 27th inst., the Eastbound Continental rate has now been fixed

10060

Petitioner's Exhibit 964

10061

at 28 dollars by a number of the lines, including our own. The proposal to compensate to the extent of 11 dollars is evidently based upon the nominal rate of 34 dollars as compared with the rate to be put in force by the 'Ryndam,' which we assume is 23 dollars. In view of the actual circumstances of most of the Lines, we think it would be fair that the compensation be limited to the difference between the actual lowest current rate, viz., 28 dollars, and the fighting rate of 28 dollars, giving a compensation rate of 5 dollars. We are, therefore, wiring you today, 'if other Lines agree, we agree compensate 'Ryndam' five dollars, based on current Eastbound rate of 28 dollars, which we hope will be clear to you."

10062

It is a mistake that the rate of Americano of \$34 be nominal. It is on the contrary the actual rate charged by them when not specially authorized otherwise. One cannot be so much surprised therefore that they claim a compensation to the full amount of the difference if they are wanted to reduce their rate in the interest of the community, whilst they, having only a small share, and being a party considerably in excess, would have to pay heavy compensation. They themselves say in a telegram received last night about the following:

"It is a pity that Lines cannot agree on compensating us for quoting a fighting rate against Avoca May 5th. It is this way that the bed is made for our competitors. We being a party greatly exceeding our share are not only quite justified to claim the full difference in the rate but even then would carry the passengers at a loss as we have to pay compensation twice."

Respectfully,

H. PETERS.

Petitioner's Exhibit 1275.

10063

G. No. 65.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 4th, 1908.

To the Parties:

Pooling Assisted Destitute Passengers. (G. No. 39) 10064

The Secretary of the N. A. P. C. writes:

"This matter was fully discussed at a recent meeting of this Conference, and the British Lines are unanimously of opinion that as regards Eastbound destitute passengers these should not be included in the pool, as if they were not accepted by the Lines in that form they would most certainly have to be carried later on as deported aliens by order of the authorities.

"As regards Westbound distressed U. S. citizens and Canadians, assisted by arrangement with the American Society in London and the High Commissioner for Canada, referred to in your circular letter G. No. 39 of April 9th, the rates for these passengers are only nominal, and the British Lines are agreed that they also should not be included in the Westbound pool.

10065

"It was the understanding of the British Lines at the London meeting that passengers of the above description were to be excluded from the pooling arrangements."

I beg to refer to G. No. 39.

Petitioner's Exhibit 1275

10066

Which passengers have to be pooled is fixed by Art. 1 and Commentar to Art. 2, Section 2.

The only exemptions allowed are stated in Byelaws 3, 6, & 11, a & b.

I can therefore not but request, that all charity or assisted passengers be reported as passengers which are to be accounted for.

10067

The Continental Lines likewise as the British Lines carry also charity passengers at least Eastbound without ever having deducted them. The number may possibly be greater than with British Lines. But quite apart from that I do not think it justifiable that passengers which were included in the numbers when the percentages were computed should be excluded now in the accounts.

Until the Lines have agreed otherwise on this point, I have to be guided by the Contract.

Respectfully

10068

Petitioner's Exhibit 965.

10069

G. No. 66.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 4th, 1908.

To the Parties:

Continental Passengers by Italian Lines. (G. No. 60)

On this point I cabled New York asking the numbers of Continental steeragers by Italian steamers and received the following reply:

10070

Ancona (Italia Phila)	(April 22)	469
Florida (Lloyd Italiana)	(" 25)	275
Nord America (La Veloce)	(" 29)	258
Principe di Piemonte (Sabaudo)	(" 30)	390

 1392

to which is added that this amounts to a fraction below twenty per cent of their total carryings.

During the same period there were the following sailings of Continental Lines from New York:

10071

Statendam	(April 22)	165	steeragers	
Kaiserin Aug. Victoria	(" 23)	658	"	
Seydlitz	(" 23)	1943	"	(\$24.-)
Präsident Lincoln	(" 25)	325	"	
Zeeland	(" 25)	180	"	
Kaiser Wilhelm II.	(" 28)	692	"	
Nieuw Amsterdam	(" 29)	250	"	
Deutschland	(" 30)	450	"	
Lützow	(" 30)	1624	"	(\$24.-)
" overbooked about		600		

 6887

10072

Petitioner's Exhibit 965

The number of Continental steeragers by other Lines not being known to me yet I cannot exactly give the proportion of Eastbound Continental steerage traffic, which went by the Italian Lines. At any rate the above figures show that the danger is serious if even with two steamers opposing at a \$24 rate the Italians could obtain that result.

On May 1st I sent the Parties the following message:

10073

1) "Hapag have cable: Italian Lines issued joint sailing list for May quoting Eastbound steerage rates Triest, Fiume, Laibach twenty-three, Basel twenty-four, other points correspondingly low, Commission four dollars."

This is an advance of the gross rates by \$3 and an increase in commission by \$2.

In consequence of this new move of the Italian Lines I asked the direct Mediterranean Lines if they would not consider advisable to increase the Commission for Italian business also to four dollars. The replies so far were:

10074

2) ANCHOR: 1/5. 4.9 P. M.

"Have cabled New York giving discretion necessary meet Italian Lines."

3) LLOYD: 3/5. 12.10 P. M. (Translation)

"New York representatives not in favor increase commission owing demoralizing effect. We recommend conference Lines reduce Eastbound rate for direct Italian service to ten dollars against compensation five dollars by Pool Lines, and if necessary to increase cheap sailing to northern ports."

4) CUNARD: 3/5. 5.4 P. M.

"* * * Consider it would be better reduce rates, than increase commissions."

Petitioner's Exhibit 965

10075

This moment I receive the following cable from:

5) HAPAG: 4/5. 9.55 A. M.

"Italian Lines reduced Eastbound steerage rates Fiume Triest to seventeen dollars, other points correspondingly low, commission four dollars and extra commissions from one to two dollars."

which I passed on the Parties and which was followed immediately by my following telegram:

4/5. 11.30 A. M.

10076

"In view of Italian move just wired and several parties not being in favor of increased commission I submit Lloyd's proposal that Conference Lines reduce the rate for their direct Italian service to ten dollars and be compensated five dollars by Pool Lines. I await reply."

Secretair.

Considering that by the reduction of the Italian rate 80% of the Italian Lines business would be seriously affected and that with their present continental rates of \$17, less \$4 commission and transportation from Genoa to Triest which costs about \$5 hardly a carrying rate is left it may be fairly expected that it would have some effect on them.

10077

As this reduction, if made, is in the interest of all the Atlantic Conference Lines it seems but just that they contribute their share in form of a compensation to the extent of the reduction. Questioned it might be whether it is necessary, that the reduction applies to all sailings or whether it can be restricted to certain opposition steamers.

It is to be wished that the Lines will be unanimous in acknowledging the necessity of prompt action.

10078

Petitioner's Exhibit 965

Perhaps one might be of opinion that a compensation for the reduction was only necessary if the Italian Lines follow as otherwise they would find compensation in increased numbers of passengers, or that it need not be to the full amount of the reduction, as it is in the respective Lines' Italian Service special interest also that the war should be shortened.

I beg to add the remarks of the

6) HOLLAND-AMERICAN LINE:

10079

"G. No. 54. With regard to your circular letter *re* Eastbound continental passengers by Italian Lines at reduced rates, it seems to us that the invasion made by these Lines into continental eastbound business is the result of differences between them and some of the Continental and British Lines engaged in the Italian trade. From the correspondence between Messrs. Ballin and Crespi, which you have circulated, it appears that Mr. Ballin's proposal to restore the *status quo ante* pending negotiations for an Italian Pool was agreeable to Mr. Crespi, but that same was not accepted by some of the non-Italian Lines, parties to the Atlantic Conference, for reasons foreign to the interests of this Conference, we are therefore of opinion that it is up to those Atlantic Conference Lines who are interested in the Italian trade to take such steps as will lead to bringing the Italian Lines to terms, for instance by further reducing the eastbound Italian rates, to say \$10 as you propose.

10080

"We would further offer as a suggestion about which we should like to hear the other Lines' opinion, namely, whether it would be advisable, considering that the Lines holding an Italian license cannot break the westbound

Italian rates without being authorized to do so by the Italian emigration officers, that the Red Star Line, the American and our Line, who for a number of years have been interested in the indirect Italian westbound business, should for a certain time, to be fixed by the Atlantic Conference, re-enter into that business through their Swiss and Modane agents, say with a £2 rate or even less off Antwerp, Rotterdam and Boulogne Cherbourg and Southampton, which passengers should of course be exempted from the Pool. Perhaps that this would hurt or sufficiently annoy the Italian Lines and be of some effect in bringing them to terms."

10082

to which I await reply.

Further I subjoin the following letter from the

7) ANCHOR LINES April 28th.

G. No. 54. Continental passengers by the Italian Lines.

"We cannot add anything to what we have already stated. Our Newyorker firm are quite ready to join in any measures necessary to discipline agents working for North Atlantic Lines who are likewise aiding and abetting Italian Lines to obtain Continental business via Genoa etc. We hope other Contract Lines may so advise New York. We are willing to consider any measure brought forward to cope with this phase of the Italian Lines' dealings."

10083

and further

8) ANCHOR LINE: May 1st.

"We deplore this inroad of Italian Companies, and feel that no time should be lost in endeavoring to get a meeting with Signor Crespi and other Directors of Med. Lines."

Respectfully,

10084

Petitioner's Exhibit 966.

ATLANTIC CONFERENCE.

G. No. 67.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 5th, 1908.

To the Parties:

Russian Steamers. (G. No. 56)

10085

S. S. "KOREA" of the Russian East Asiatic S. S.
Co. sailed May 2nd from New York with 32 cabin,
660 steerage.

10086

Petitioner's Exhibit 1276.

10087

G. No. 68.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 5th, 1908.

To the Parties:

Continental Passengers by Italian Lines. (G. 66) 10088

For the information of the Continental Lines and in order to keep together what has passed with reference to this matter, I take here the following Memo. from the Secretary of the N. A. P. C. of April 28th:

American Agents acting for Atlantic Conference, booking Continental business by Italian and other outside Lines.

"In reference to the last clause of Secretary Peter's circular letter No. 54 of 25th April, reading:

10089

"Cheaper and more efficient from every point of view it would be, if the Atlantic Conference Lines would promptly disqualify any of their U. S. agents who give Continental business to Italian and other outside Lines but for such action, even if all Lines were disposed, time might be too short."

"It is suggested that Secretary Peters be placed in a position, so far as the British Lines are concerned, to cable Secretary Sandford, New York, that such agents as are referred to

10090

Petitioner's Exhibit 1276

above be promptly disqualified by the Lines members of the 'Atlantic Conference.'"

"Will the Line please express their views hereon with the least possible delay?"

Allan: "Yes, we are quite agreeable."

American, L'pool: "Agree."

Dominion, L'pool: "Agree."

ANCHOR:

10091

"Hope all British Lines will join in a cable to Secretary Sandford, New York urging that these agents be disqualified if they do not give up acting for Italian Lines in way complained of."

CAN. PACIFIC:

"I would mention that our agents in Canada and United States are entirely under the control of our Montreal people.

10092

"I have therefore cabled to our friends there advising them of the proposal to deal with agents giving Continental traffic to the Italian and other outside Lines and suggesting that they take whatever concerted action is decided upon through the medium of the New York Conference."

CUNARD:

"Any agent of a British Line who held an outside agency prior to London agreements was to be protected we quite agree that no agent should be allowed to take any outside agency subsequently."

Petitioner's Exhibit 1276

10093

DONALDSON LINE:

"Agreeable that Secretary Peters should cable Secretary Sandford to disqualify any agent acting for other than Conference Lines."

WHITE STAR:

"Quite agree with Cunard so far as Agencies then held are concerned, but the arrangement made does not permit Agents representing outside Lines taking up additional Agencies for other Co.'s outside Conference and does not permit any Agent to commit a breach of Conference rules in booking Continental passengers East by Italian ports."

10094

AMERICAN Southampton:

"No full reply yet."

To Lloyd's proposal (*G. No. 66, telegr, 3*), the following replies have been received up till now:

1) STAR: 4/5. 12.50 P. M. (Translation)

"Lloyd's proposal will miss its aim. Italian Lines would leave Italians to Nonitalian Lines and take passengers to Austria, etc., at twenty dollars. However, it certainly would Italian Lines make uncomfortable as returning Italians are more numerous."

10095

2) HAPAG: 4/5. 2.36 P. M. (Translation)

"Agree Lloyd's proposal subject week's notice."

3) ALLANS: 4/5. 3.40 P. M.

"Regret cannot agree compensate Lloyd's Italian service as proposed."

10096

Petitioner's Exhibit 1276

4) ANCHOR: 4/5. 4.37 P. M.

"Have already given New York full discretion *re* meeting Italian Lines. Is the 10 dollars to Naples rate to be nett? fear the contract lines not in the Italian direct service will not agree compensation you mention."

10097

Seeing from these replies that there was not much hope of Lloyd's proposal being agreed to by all parties, and seeing on the other hand from the above Memo. that the majority of the British Lines were disposed to disqualify such agents as turn continental business over to Italian Lines, I submitted this to the Continental Lines asking what their views were, and received the following replies from:

5) STAR: 4/5. 4.45 P. M. (Translation)

"We are in favor of proposed disqualification. It would be a good thing if Lines would at last bring home to agents that they are the masters and not the agents."

10098

6) AMERICANO: 4/5. 6.12 P. M. (Translation)

"Agree disqualification American agents giving continental business to Italians."

7) AUSTRO: 5/5. 8.40 A. M. (Translation)

"Agree in principle with your proposal. Measure can only be successful if all Atlantic Conference Lines agree."

8) HAPAG: 5/5. 10.30 A. M. (Translation)

"Agree disqualification."

9) TRANSAT: 5/5. 11.10 A. M. (Translation)

"Agree proposed disqualification American agents if continental conference New York is unanimous."

In the meantime, I received the following telegram from:

10) LLOYD: 5/5. 10.2 A. M. (Translation)

"Since situation requires prompt and energetic action we have without awaiting decision of parties reduced eastbound Italian rate to ten dollars commencing sailing May sixteenth with reservation to revert later to question of compensation."

which I passed on to the parties.

Respectfully.

H. PETERS.

10100

10101

10102

Petitioner's Exhibit 967.*G. No. 69.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 6th, 1908.

To the Parties:

Continental passengers by Italian Lines. (G. No. 68.)

10103

With reference to Lloyds telegram (G. No. 68, No.
 10) I received further the following letter from
 1) Lloyd, May 5th

"As the situation regarding the Italian Lines requires absolutely prompt action and the question of compensation, judging from experience made hitherto, cannot be expected to be settled quick, we have today sent instruction to New York to reduce our eastbound steerage rate to \$10. As experience has shown that such reductions influence strongly the Italian eastbound business, we hope not only to ruin the business for the Italian Lines but at the same time to increase the number of returning Italians to such an extent that little room will be left to the direct Lines for continental steeragers. Of course we reserve the right to revert later to the question of compensation."

10104

To Lloyds telegram mentioned above I received the following reply from

2) Ismay, 5/5. 4. 8 p. m.

"Note Lloyds reduction eastbound Italian rate to ten dollars but as we do not agree this

Petitioner's Exhibit 967

10105

policy cannot consider question of compensation."

of which I informed Lloyd immediately upon receipt by urgent telegram.

I beg to repeat the following cable received last night from Sandford:

"Campania Navigazione 510 Continental 25 percent total."

The following is a cable from New York referring to disqualification of agents received by

3) Lloyd:

10106

"Proposal already met and agents violating rules by booking continental business Mediterranean lines being disqualified. Refer to Continental Conference rules minutes."

This reference to Continental Conference rules makes suppose the N. A. P. C. did not join. If this were so, the action taken by the Continental Lines would rather be worse than better, for it would only impress upon the agents, that the Lines are still very far from manifesting by facts that they have common interests.

I have asked Secretary Sandford for information.

10107

Respectfully,

10108

Petitioner's Exhibit 968.*G. No. 70.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 6th, 1908.

To the Parties:

10109

*Newyork & Continental Line & Canadian Pacific
 Ry. Co.*

Some time ago the White Star Line informed me, that the Canadian Pacific Ry. Co. allowed the agents of the Newyork & Continental Line 10% commission on the emigrant R. R. fares over their road.

On application to the Canadian Pacific Railway Co. they replied:

10110

"The published rail immigrant rates from Halifax are open to any Steamship Line and as a Railway Company we cannot decline to receive Emigrants from any line at the published rates.

"To meet offers made by competitive Rail Lines in Canada to the New York & Continental Line, we have given them the same terms as are granted to any Steamship Line out of Continent and Great Britain."

As to this the White Star write:

"We are informed that in the case of the Grand Trunk Railway, while accepting business from this S. S. Company, which they cannot refuse to do, they have absolutely declined to allow them any commission, or to assist them

Petitioner's Exhibit 969

10111

in any way, and we think the C. P. R., in view of their relations with the Atlantic Conference, might be asked to adopt a similar attitude and not allow the New York and Continental Line commission on this business."

The White Star Line ask me to take the views of the other Lines on this point and I shall be glad to get them.

Respectfully,

10112

Petitioner's Exhibit 969.

G. No. 71.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 6, 1908.

To the Parties:

10113

New York & Continental Line. (G. No. 64).

Hapag wired today:

"In consequence of there being no opposition against "Avoca" (May 5th from New York) she could not only get her full complement of 625 steeragers but had to transfer 45 steeragers to "Jelunga" (May 9th) against which there is no opposition on the part of pool lines either."

Respectfully,

10114

Petitioner's Exhibit 970.*G. No. 72.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 7th, 1908.

To the Parties:

10115

Russian Steamers. (G. No. 67.)

S. S. "Cherson" of the Russian Volunteer Fleet arrived from New York at Rotterdam on 3d inst. with 23 cabin passengers and 802 steeragers; 750 passengers disembarked at Rotterdam.

S. S. "Estonia" of the Russasiatic sailed May 4th from Libau via Rotterdam with 163 steeragers & 4 cabin passengers.

10116

Petitioner's Exhibit 971.

10117

G. No. 73.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 7th, 1908.

To the Parties:

Continental passengers by Italian Lines. (G. No. 69.) 10118

Lloyd writes May 6th:

"We are in receipt of circular letter G. No. 66 and note what the Holland-Amerika-Line has to say with regard to the proposed reduction of the Eastbound Italian rate to \$10.—

"The invasion by the Italian Lines into the Continental steerage business is certainly a most deplorable affair but we are sure that no Conference Line will in earnest attempt to make any other Conference Line responsible for this new competition. The facts are that this competition exists and the question is how it can be met.

10119

"That the reduction of our eastbound Italian rate to \$15.— was perfectly sufficient to protect our own interests in the Italian traffic is sufficiently proven by the fact that our S. S. 'König Albert' May 2nd from New York, was almost completely sold out at this rate, having embarked 1473 steeragers for Italian ports.

"In proposing a further reduction of \$5.— our sole object was to protect the Conference Lines' interests against their Italian competi-

Petitioner's Exhibit 971

10120

tors, and we think it is only fair to expect that all Conference Lines will take their share in this fight by compensating the direct Italian services of the Conference Lines for the additional losses they may sustain.—We hope the Lines will consider our proposal from this point of view. We should very much regret if by their refusal to compensate we and the other Conference Lines, having direct Mediterranean services, should be compelled to withdraw a measure which more than any other might prove of value in bringing the Italian Companies to terms.

10121

"We note the proposal of the Holland-Amerika-Line to meet the competition of the Italian Lines on the Continent by establishing a westbound rate of £2.— or less for Italian passengers via northern ports, to which we shall revert shortly."

Respectfully,

10122

Petitioner's Exhibit 1277.

10123

G. No. 74.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, May 7th, 1908.

To the Parties: !

*Monthly Statement Atlantic Conference & Canadian
 Lines for March 1908. (G. No. 63.)*

Hirsch passengers :

10124

The following views on the point raised by the Al-
 lan Line in G. No. 63 have been expressed by :

Red Star Line :

"Our recollection is that the average was
 asked but not agreed & that the number of 100
 applies for each sailing *i. e.* separately. If it
 had been understood otherwise, the word aver-
 age would have been inserted; the omission is
 not due to an oversight since the question has
 been discussed."

Holland American Line :

10125

"With regard to the 105 Hirsch-passengers
 carried on the 'Sardinian,' sailed March 5th
 from London, of which only 100 have been en-
 tered in the Monthly Account to be dealt with
 under the special arrangement regarding
 Hirsch-passengers, we beg to say that the
 clause in Appendix A to Agreement Z, referring
 to these passengers and reading:

" * * * not exceeding one hundred
 (100) passengers per sailing during the year
 1908 * * *."

10126

Petitioner's Exhibit 1277

"is in our opinion to be understood in that way:

"that the number of Hirsch-passengers *carried on any particular steamer* during 1908 should be strictly limited to 100."

"there being nothing in the appendix A to second the Allan Line's interpretation of the clause

"that *the average* per sailing for 1908 shall not exceed 100."

10127

Lloyd:

"Appendix A to Agreement Z is in our opinion perfectly clear. The intention of the parties was that the Allan Line should be allowed to carry a *maximum* and not an *average* of 100 Hirsch-passengers per sailing from London."

With further reference to the Hirsch-passengers I received the following note from Anchor Line:

10128

"We agree with the views of Messrs. Allan that they were not to ship more than 100 passengers on account of the Hirsch contract for each of their sailings, but we did not understand that they were limited to 100 for any one sailing. The aggregate for the year ending 1908 was not to exceed an average of 100 passengers for each sailing."

Donaldson Line:

"The arrangement agreed to was not that the numbers were to be limited to an *average* of 100 per sailing during the year 1908. The clause reads 'not exceeding 100 per sailing,' and it was not understood that the numbers were to be averaged."

Petitioner's Exhibit 1277

10129

Lloyd:

"Of the 100 Baron Hirsch passengers you charge the Allan Line only 97. In our opinion the Allan Line has to compensate the U. S. Lines @ £2. for the full number of 100 passengers."

Canadian Agreement & Cunard Line.

Lloyd (Translation):

"In dividing the payments of the Canadian Lines you have expressly exempted the Cunard Line. We think there is no reason for this because according to Article 1, Agreement Z, belongs to the Parties of the Agreement. The reason for the Cunard Line's continental carryings not being included when the Canadian Lines' share was computed is, that the statistics of the I. M. M. Co. were exclusive of the Cunard Lines and the exact figures of the Cunard Line's continental carryings could not be procured. We are of opinion that the Cunard Line has to participate as well in payments to be made as to be received."

10130

On this point the same view is expressed by the White Star Line:

10131

"Referring to your monthly statement for March showing the settlement under provisional agreement Y and Agreement Z, including appendixes A and B thereto, we think it is an error to omit the Cunard Line in the statement at the foot showing the division of the compensation due from the Allan Line.

"While it is quite true that in accordance with appendix B the carryings of the Cunard Line are not to be considered in arriving at the

10132

Petitioner's Exhibit 1277

number of Continental passengers the Allan Line & Donaldson Line are entitled to carry, it does not, in our opinion, result that the Cunard Line are not to participate pro rata with the other Pool Lines in the monthly settlement with the Allan Line and Donaldson Line. We should like to have your view on this point, and also the views of the Continental Lines.

10133

"We may say that none of the British Lines, so far as we are aware, have raised this question as yet. In this connection, we would point out that Clause 2 of Agreement Z needs amendment, as the Cunard Line is a party to this agreement, and the word 'except the Cunard Line' should be inserted after the words 'parties to this agreement' on the ninth line of this clause as provided for in appendix B."

10134

If the Cunard Line's continental carryings in the past were not taken in consideration when the percentages of the Canadian Lines were computed and if their present carryings are not included in the account with the Canadian Lines I fail to see by which arguments it can be justified, that the Cunard Line should participate in payments *pro* and *contra* under Agreement Z. The mere fact of the Cunard Line being mentioned as a member to Agreement Z does in my opinion constitute neither rights nor obligations in view of Agreement Y, Clause 1, and Appendix B to Agreement Z, Clause 2.

Will the other parties please let me have their views on the above 3 points; or if agreeable reserve their decision for the next meeting as the questions are not of such vital importance.

Respectfully,

(Stamped) : North Atlantic Passenger Conference, Received, Ackn'd Answered 9/5, 1908.

Petitioner's Exhibit 972.

10135

G. No. 75.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 8th, 1908.

To the Parties:

In circular letter G. No. 74 Parties will please substitute the second sheet by the attached one.

10136

For the sake of completeness I beg the Parties to join the attached supplement to G. No. 52 with this number.

Respectfully,

*Monthly Statement Atlantic Conference & Canadian
Lines for March, 1908.*

(See Compensation file)

10137

10138

Petitioner's Exhibit 973.*G. No. 76.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 9th, 1908.

To the Parties:

*Newyork & Continental Line & Canadian Pacific
 Ry. Co. (G. N. 70).*

10139

By request of the Hamburg American Line I publish the following letters received by Herr Ballin:

London, May 4th, 1908.

"Dear Mr. Ballin:

"Referring to correspondence we have had on the subject of the Newyork and Continental Line, I cannot do better than enclose you copy of letter I have just received from our Fourth Vice President, which may interest you.

"I presume there is no change in the situation and that nothing further has come of your meeting with Mr. Shankland.

10140

Yours very truly,

Signed: ARCHER BAKER.

 Montreal, 22nd April, 1908.

Archer Baker, Esq.
 European Manager.
 London, England.

My dear Baker:

"I have your note of the 6th inst., enclosing copy of communication from Herr Ballin.

Petitioner's Exhibit 973

10141

"We cannot decline to accept passengers at Halifax from the Newyork and Continental Line. The railway is very different to the steamship line; we are obliged under the law to publish tariffs which are open to all and are prevented by heavy penalties from discriminating against any particular interest. I presume Herr Ballin fully understands this; if not, kindly make it clear to him.

"In respect to bringing any influence to bear on Mackenzie & Mann I may say that it has never been very clear just what connection this firm has with the line in question. Some months ago I brought up the matter in personal conversation with Mr. Mackenzie and he gave me to understand that he was not interested in the line. I will however take the first opportunity of again mentioning the matter to him. There is however no particular influence we can bring to bear on him that would give the result we desire.

10142

"I notice in the concluding paragraph of Herr Ballin's letter he states Mr. Shankland begged for a delay of a few days so that he might have an opportunity of consulting his friends Mackenzie and Mann and Peterson about the matter. Have you heard anything further from Herr Ballin as to the result of the further interview with Mr. Shankland?

10143

Yours truly
signed: G. M. BOSWORTH
Fourth Vice President.

Respectfully

H. PETERS.

10144

Petitioner's Exhibit 1278.*G. No. 77.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, 9th May, 1908.

To the Parties:

10145

Monthly Statements for April. (G. No. 55)

Today I beg to send the Monthly Statements for April. In conformity with the Summary I have to request for the following payments being made:

Dominion Line	to	American Line	.....£	2857.—.—
" "	"	Allan Line	....."	768.—.—
" "	"	Anchor Line	....."	174.—.—
White Star Line	"	Canadian Pacific Ry. Co.	"	1756.—.—
" "	"	Donaldson Line	....."	12.—.—
" "	"	American Line	....."	33.—.—
Cunard Line	"	Continental Lines	....."	18580.—.—
" "	"	Canadian Pacific Ry. Co.	"	972.—.—

10146

For the payment to the Continental Lines the Cunard Line will please send their check to me.

I beg the Parties to inform me when the payments have been made or received.

Respectfully

Petitioner's Exhibit 974.

10147

G. No. 78.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 9th, 1908.

To the Parties:

New York & Continental Line & C. P. R. (G. No. 70) 10148

The Norddeutscher Lloyd write:

"With reference to circular letter G. No. 70, we fully endorse the White Star Line's proposition that the Atlantic Conference Lines should approach the C. P. R. requesting them not to pay any commission on railroad business to the New York & Continental Line or to its agents.

"We note with pleasure that the G. T. R. have positively refused to allow any commission, or give any other assistance, to the New York and Continental Line. If so, we shall gladly comply with Mr. Salter's request to turn over part of the immigrants arriving by our steamers to his Company."

10149

Respectfully

10150 **Petitioner's Exhibit 1279.**

G. No. 79.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 9th, 1908.

To the Parties:

10151 *New York & Continental Line. (G. No. 71)*

Hapag wired

that according to more precise information "S.S. Avoca" on account of there being no opposition had obtained a full complement of 745 steeragers, besides that an overflow of 25 passengers had to be transferred to the Jelunga.

Respectfully

10152

Petitioner's Exhibit 975.

10153

G. No. 80.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 11th, 1908.

To the Parties:

Promissory note.

10154

The British Lines have proposed the following form
 of the promissory note:

"On demand we promise to pay to the order of the General Director of the Hamburg Packet Company, the Chairman of the Cunard Steamship Company Limited and the General Pool Secretary the sum of £....."

The. Hamburg-American Line and the Nord-deutscher Lloyd in consideration of German law submit the following form:

"Wir erklären hierdurch dass folgende drei Herren, nämlich der General Director der Hamburg-Amerika Linie, der President der Cunard Steamship Co. Ltd. und der Secretair des General Pool, gemeinsam berechtigt sind, von uns die Summe von M....." zu fordern and verpflichten uns, diesen Betrag auf eine von den genannten Herren an uns zu richtende gemeinschaftliche Aufforderung sofort zu bezahlen."

10155

Petitioner's Exhibit 975

10156

A Translation would be:

"We hereby declare that the following three gentlemen, viz, the Director-General of the Hamburg-American Line, the Chairman of the Cunard Steamship Company Ltd. and the Secretary of the General Pool are jointly entitled to claim from us the sum of M. and we bind ourselves to pay this amount forthwith on joint demand of the gentlemen designated above."

10157

The Holland-American Line are informed by legal advisers that the following form would answer the Netherland laws.

"On demand we promise to pay to the order of the Hamburg-American Line and the Cunard Steamship Company Ltd. the sum of £. . . . Value in account."

The Red Star Line is agreeable to the British form. Will now the British Lines please inform me if the proposals of Hapag, Lloyd and Americano meet their requirements, so that this matter may be brought to a close as soon as possible.

10158

Respectfully

H. PETERS.

Petitioner's Exhibit 1280.

10159

G. No. 81.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 11th, 1908.

To the Parties:

Continental passengers by Italian Lines. (G. No. 73) 10160

I beg to lay before the Parties the following correspondence:

1) Allans: May 4th

"We have received your two telegrams of this date G. No. 66 Telegr. 3 & 5 in regard to a reduction of Eastbound steerage rates by the Italian Lines. The proposal to compensate Lloyds' direct Italian service appears to us to be one of quite a different character from other compensation proposals which have recently received the assent of the Conference Lines. As the Italian services are not in the Pool, we presume we are right in thinking that none of the passengers carried by the steamers which it is proposed to compensate would be accounted for to the Pool. It seems to us, therefore, that Lines which, like ourselves, are only very indirectly interested in Italian business could not reasonably be expected to share in the action proposed. While we recognize that the proposed reduction of rate by Lloyds' direct service may be the most effective reply possible to the action of the Italian Lines, we

10161

Petitioner's Exhibit 1280

10162

think the General Pool is only interested in business for Fiume and Trieste, and should only compensate for reductions to these ports, at all events, as at present advised, we cannot agree to join in compensation to a service entirely outside the Pool."

- 2) Anchor: May 4th (referring to Lloyds' proposal (G. No. 66, Teleg. 3)

10163

"We understand it is not the intention of Contract Italian Lines to book any Continental business via Italy, as doing so would entail their pooling such bookings.

"The idea being to oppose Italian Companies for their *Italian* business *only*.

"The proposed compensation of 5 dollars per soul to be paid by pool lines, who are not in the direct Italian business.

"We fear that the Contract Lines not in the Italian direct business will not all agree to this compensation basis.

10164

"There can be nothing but a loss to the Italian Lines taking business on a \$17.00 Fiume Trieste basis & paying \$4.00 to \$6.00 commission & we think they will very soon tire of it would it not be as well to give them rope enough for a little?"

- 3) Anchor: May 6th

"*Your G. No. 66.*

"*Continental passengers by Italian Lines.*
 "We have noted the large number of Continental passengers being conveyed via Genoa to Trieste Fiume &c. and we have no doubt that along with Lloyd our New York Office is meeting the competition of Italian Lines for

Italian business. We do not think that the Italian Lines will continue long their present cut rates for the reason you mention that they are not getting even a carrying rate.

"We should like very much to learn what the Contract Lines not in the Italian direct business have to say to the Lloyd proposal of \$5.00 compensation as conveyed in your telegram of 4th May. It is up to them now to show what they will do to assist in getting the Continental Eastbound business back into the proper channel for which result the Contract Lines in the Italian direct business are working." 10166

4) Cunard: May 6th

"Replying to your telegram May 4th provided all lines approve we agree reduce Italian eastbound rates to 10 dollars subject to 5 dollars compensation."

5) Anchor: May 7th, Their New York firm write them April 28th:

"Mediterranean Eastbound situation remains unaltered. We are advertising Italia to sail 9 May Rate *gross* \$13 to Naples and \$16.00 to Palermo." 10167

6) White Star: May 8th

"Referring to your telegrams of 1st and 5th instant regarding the action of the Italian Lines booking Continental passengers via Italy, we have been in cable communication with our New York office with a view to increasing commission for Italian Eastbound business, which increase of commission the Italian Lines would undoubtedly have followed, and with lower rates would, we think, have filled

Petitioner's Exhibit 1280

10168

their steamers with Italians, to the exclusion of Continentals & at a net rate that would leave a loss.

"We have advice from New York, however, that an increase of commission is not favoured by the Pool Lines who are interested in the trade, which we see is confirmed by your G. No. 66, and we are therefore not pressing the suggestion.

10169

"We still feel, however, that a reduction in rate to \$10.00, as announced by the North German Lloyd, will attract a large proportion of the Italian business to them, and will continue to leave the Italian Lines with ample room in their steamers, and so encourage them to try and fill up with Continental business.

10170

"The Italian Companies are now quoting, we understand \$17.00 to Trieste and correspondingly low rates to other ports, and we do not think that they will feel disposed to continue this business for very long, but if the Pool Lines interested in the Mediterranean trade would take such steps as to divert Italian traffic at unremunerative rates to the Italian Lines, it would in our opinion be the least expensive and the most effective way of dealing with the situation."

7) Anchor: May 8th

"Your G. 69. We have already noted the views of Lloyds and also advised you as to what rate we were quoting at Newyork this week and consider we are doing our share to compete with Italian Lines in their own sphere. We observe White Star Co. inform you that they do not agree with the policy being pursued, and cannot consider question of com-

pensation. If Messrs. Ismay Imrie & Co. inform you what policy they would pursue we shall be glad to be advised of it.

"As to compensation question as we are in the direct Italian business and competing with Italian Lines for it we had hoped that the White Star Co. for its North Atlantic services would have viewed the question of compensating us differently."

8) Cunard: May 7th

"Understand from Newyork that our Trieste Fiume eastbound rates should be reduced to meet competition of italian lines we are not adverse to meeting this competition but as we have largely overcarried in pool we would require compensation for difference between our present rates and reduced rates." 10172

to which I sent the following reply:

"Lloyd reply your yesterdays telegram: If Cunard fill their steamers with Continentals they would no longer be competitors in Italian eastbound business which would suit Italians well. If Cunard will do something extra they might reduce Italian rate, which would serve general pool interests better. 10173

A proposal of the Austro Americano to reduce their rate to Trieste has also been declined by Continental Lines. Austro has a few days ago reduced their eastbound Italian rate to \$10.—

Respectfully,

10174

Petitioner's Exhibit 976.*G. No. 82.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 12th, 1908.

To the Parties:

- 10175 *Regulating Steerage Rates for Adjustment Purposes.*
(G. No. 61)

With reference to the complaint of the Allan Line (G. No. 61) that rates were not advanced by over-carried lines, as required by Art. 11 but reduced instead by others so far only the following Lines have expressed their views:

(1) Lloyd, May 5th:

10176

"The first paragraph of the Commentary to Art. 11 says that 'whenever practicable' *i. e.* under normal conditions, the adjustment shall be effected by raising the rates of the Lines in excess and in the following paragraph it is added that no Line can be compelled to fix its rate at more than £8. The highest eastbound steerage rate is at present \$37; that is only \$3 below the maximum, and the Allan Line certainly cannot claim that the present conditions of eastbound business are normal ones. However, if the Allan Line demand, the Lines will have to decide by majority what course is to be adopted. In our opinion a general advance of the eastbound rates is at present not practicable in view of the competition of the Italian

Lines besides that of the Russian Companies and the New York Continental Line, and because it would make the solution of the question of compensation for fighting rates still more complicate."

(2) White Star, May 6th:

" we are very much in sympathy with the communication from the Allan Line, as it is undoubtedly the object of the Pool to maintain rates at a remunerative level.

"Unfortunately, the outside competition that has at present to be considered, makes it, we suggest, desirable to avoid any increase in rates for the time being, but if the reductions in competition with these outside Lines has the desired effect, it should not be very long before the Eastbound rates can be restored again." 10178

(3) Nasm (Netherlands Line), May 6th:

" we beg to say that under ordinary circumstances it is beyond doubt a sound principle, we may say *the* principle, under a pooling agreement that the adjustment of percentages has to be effected, whenever possible, by an advance in rates by the party or parties who are in excess, rather than by a reduction of rates by the Lines which are short. 10179

"However sound a principle may be, yet it would not be wise to carry it through under all circumstances. And especially under the present situation it should not be overlooked by the Allan Line that the Hamburg-American Line and the North German Lloyd have reduced their steerage rates in order to meet the present competition in eastbound traffic and that by so doing a good number of passengers

10180

Petitioner's Exhibit 976

have been saved for the Pool, *i. e.* for the benefit of all the Lines."

(4) Anchor, May 4th:

10181

"..... we note what Messrs. Allan write to you and agree with their views that the adjustment of percentages ought always to be brought about by the Lines that are overcarried advancing their rates, and not the Lines undercarried reducing. We think, however, that Messrs. Allan have not given weight to the fact that the reductions made in Eastbound rates have been brought about by the Contract Lines requiring to meet outside competition, a provision that is also covered by the General Contract."

I beg to confirm my following telegrams:

(5) May 8th, 8:30 P. M.

"Ismay wires: Reducing eastbound Continental rate basis twenty-eight dollars Bremen, Antwerp, Rotterdam, White Star, Dominion, American Philadelphia service."

10182

(6) May 9th 6:40 P. M.

"Red Star reduce eastbound to thirty dollars."

Secretair.

Respectfully,

H. PETERS.

Petitioner's Exhibit 977.

10183

G. No. 83.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 12th, 1908.

To the Parties:

Disqualification of American Agents. (G. No. 69)

10184

This question originally was started by A. E. Johnson & Co. inviting bookings of continental passengers for an Italian steamer. The Continental Lines not being informed yet what action has been taken in this case I give here an extract from a Memo of Mr. Smyth's dated May 5th to the British Lines. It contains a letter from Secretary Sandford of April 27th in reply to a letter from Secretary Smyth reading:

"..... Your cable on receipt was immediately submitted to the New York Lines. It was ascertained that Continental Conference Lines had withdrawn their booking agencies from A. E. Johnson & Co., at the time they assumed the General Passenger Agency for the Russian East Asiatic S. S. Co.

10185

"On being called to account for the 'Re d'Italia' incident, A. E. Johnson & Co. said they would at once withdraw their offer, and did so by a prompt circular addressed to those who had received the original offer. It appears that some if not all of the N. Y. Lines members of the North Atlantic Passenger Conference considered that this action by A. E. Johnson & Co. closed the incident."

10186

Petitioner's Exhibit 977

The following letters refer to the same matter :

Anchor: May 4th

"We thank you for sending us copy of the Hamburg American Line letter, and note the Passenger Agents in New York, &c. have received circulars from both Continental and Italian Lines in reference to booking to South Eastern Europe via Italy. As stated, the Agents in the Continental Lines' Circular are warned not to do this, and by the Italian Lines the same Agents are permitted.

10187

"We have not seen any circular on this question that has been issued by the General Agents of the N. A. P. C. Lines. The Circular might have been a *joint* one, we expect, if the General Agents of the N. A. P. C. had been asked to co-operate with the N. D. L. V. Lines. We agree with you that this step would have had more effect, but we cannot see that you can attach any blame to the N. A. P. C. Lines not co-operating if they were not asked.

10188

"We agree with your remarks that all parties in the Contract should be not only willing but anxious to meet circumstances that arise wherein Contract Line interests are attacked, even if the attack is directed only at a few of the Contract Lines."

Anchor: May 8th

"*Your G. No. 68* . . . and note the opinion of the various Lines in the Contract as to the question of disqualifying the agents in the United States. We observe that some of the Lines make a reference to agents who may have held the British Line appointment prior to the London agreement. In this connection

we would point out that both in United States and in this country agents on their being appointed were made aware that they could not act for Lines outside of the Conference Companies. Further, that their appointment hinged on their conforming at all times to Conference rules and regulations. We do not think therefore that the London agreement in any way put these agents in a different position to that hitherto held by them. For these reasons we cannot see that there should be anything to prevent all Contract Lines giving you the power to cable to New York instructions that unless all agents for Contract Lines cease booking via Italy passengers classed as Continentals, that they be disqualified. The Contract Lines should not suffer agents appointed by them to quote for traffic outside their own service."

10190

On May 6th I cabled Secretary Sandford:

"Has North Atlantic Conference same rules as Continental disqualify agents booking Continentals Mediterranean Lines? Is it enforced?"

10191

and received on May 8th his reply:

"Disqualification rule now adopted. Cooperation Northatlantic Lines assured."

It now remains to be seen whether the rule can and will be made efficacious and what the effect will be.

Respectfully,

3397

10192

Petitioner's Exhibit 978.*G. No. 84.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 12th, 1908.

To the Parties:

Libau Rate.

By a Memo from Secretary Smyth to the N. A. P.
 C. Lines the following letter is submitted from:

10193 White Star Line: May 6th

"Referring to Secretary Peters' circular letter of the 30th ult., we note his remarks regarding the effect on the Russian Lines of the advance in the westbound Libau rate recently announced by the British Conference Lines.

"There is no doubt a great deal in Secretary Peters' remark that this advance must have been very welcome to the Russian Lines, and if they can only get their rates increased without coming to an agreement they will be more difficult to negotiate with in future.

10194

"In view of the fact that the British Lines are all in the plus in the westbound pool, we would suggest you ask Secretary Peters if the Continental Lines cannot break the rate from Libau by quoting a low figure from that port via Hamburg, Bremen &c. Even if they do not get the business, it would probably result in the outside Lines having to again reduce their rates."

I am awaiting to learn what the Parties think about this suggestion.

Respectfully,

Petitioner's Exhibit 979.

10195

G. No. 85.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, May 12th, 1908.

To the Parties :

*Competition by the Pool Lines with the Newyork and
 Continental Line Steamers Eastbound.*

Secretary Smyth sent me a Memo to the Lines of
 the N. A. P. C. containing the following letter to him
 from the White Star Line of May 8th:

10196

"Referring to the competition that has been
 carried on by the Pool Lines with the New
 York and Continental Line steamers East-
 bound, as we are minus parties in the East-
 bound Pool, it would be better, and tend ad-
 just the Pool, if one or two White Star Line
 steamers were availed of in competition with
 the New York and Continental Line's sailings
 to quote reduced rates for Continental busi-
 ness.

"The North German Lloyd and Holland-
 America Line, both of whom have competing
 steamers at low rates compensated by the Pool,
 are plus parties.

10197

"We have the 'Adriatic' sailing May 20th
 which would compete with the 'Jelunga' May
 19th, and our present rate being \$28 to Ham-
 burg, we would be prepared to quote a Con-
 tinental rate of \$23 with \$5 compensation.

"We shall be glad to have the views of the
 Lines hereon.

10198

Petitioner's Exhibit 980

P. S. "We see from Secretary Peters' letter No. 3407, May 1st, that the 'Jelunga' is referred to as sailing May 9th, not 19th, but if the principle suggested in our letter is accepted, we will cable New York to arrange to compete with the next of these outside sailings and to cable us that we may advise the Pool Lines for which steamer we quote a \$23 Continental rate."

Will the Parties please let me have their views.

10199

The next eastbound sailing of the New York Continental Line after "Jelunga" May 9th was advertised to be by "Voluturno," which was to have sailed from Rotterdam on May 2nd but I am still without news that she has left.

Respectfully,

H. PETERS.

P. S. The Holland American Line inform me that the "Voluturno" is to sail from Rotterdam May 16th.

Petitioner's Exhibit 980.

10200 *G. No. 86.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 12th, 1908.

To the Parties:

New York & Continental Line. (G. No. 79)

S. S. "Jelunga" sailed Sunday May 10th from New York with 740 steeragers & 10 cabin passengers.

Petitioner's Exhibit 1281.

10201

*G. No. 87.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 13th, 1908.

To the Parties:

Amended Monthly Statement for April. (G. No. 77.)

10202

In the account between Atlantic Conference and Canadian Lines Monthly Statement No. 2, Form 31, column 1, it has been overlooked to deduct 100 Hirsch passengers from the Allan Line's carryings. I send today amended Statements according to which the following payments have to be made instead of those given in G. No. 77.

Dominion Line	to	American Line	.....£ 2504.—.—	
"	"	Allan Line	....." 1157.—.—	
"	"	Anchor Line	....." 158.—.—	
White Star Line	"	Canadian Pacific Ry. Co.	" 1473.—.—	
"	"	Donaldson Line	....." 12.—.—	10203
"	"	American Line	....." 355.—.—	
Cunard Line	"	Continental Lines	....."18297.—.—	
"	"	Canadian Pacific Ry. Co.	" 1255.—.—	

For the payment to the Continental Lines the Cunard Line will please send their check to me.

I beg the Parties to inform me when the payments have been made or received.

Respectfully,

H. PETERS.

10204

Petitioner's Exhibit 981.*G. No. 88.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, May 13th, 1908.

To the Parties :

10205

Continental Passengers by Italian Lines. (G. No. 81)

Star (Translation)

G. No. 73

"We are of course far from holding any Conference Line responsible for the competition which at present the Mediterranean Lines make to the Northern Lines. But it is a fact that the quarrel broke out between the Mediterranean Lines, and that the Northern Lines have under it to suffer the loss. The standpoint of Nasm seems not to be unjustified."

Respectfully,

10206

H. PETERS.

Petitioner's Exhibit 982.

10207

G. No. 89.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 13th, 1908.

To the Parties:

Russian Steamers. (G. No. 72)

10208

S.S. Estonia of the Russasiatic arrived from Libau at Rotterdam with 163 steeragers; she took here 19 more steeragers and proceeded on 9th inst. to New York.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 15 May, 1908 Ansd.....

10209

10210

Petitioner's Exhibit 983.*G. No. 90.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 13th, 1908.

To the Parties:

10211

Newyork and Continental Line & C. P. R.

Anchor Line:

"G. No. 70

10212

We adopt the same view as the White Star Co. in regard to Cand. Pac. Railway Co. paying a commission to the Newyork Cont. S. S. Line on rail fares from Halifax U. S. We can understand the Can. Pac. Co. cannot refuse to carry any railroad business offered to it. Its charter would not permit this. But we know that it is not obligatory on any railroad to pay a commission and we therefore consider that the Can. Pac. Ry. Co. is unduly supporting a concern that is in direct competition with the Can. Pac. Steamship Co. and its Contract colleagues.

Respectfully,

H. PETERS.

Petitioner's Exhibit 984.

10213

G. No. 91.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, May 14th, 1908.

To the Parties:

Russian Steamers. (G. No. 89)

S. S. Petersburg sailed from Libau March 11th with 388 souls in steerage and 5 in first class.

The last preceding sailing of the Russian Volunteer Fleet was on March 30th from Libau.

10214

Petitioner's Exhibit 985.

G. No. 92.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, May 14th, 1908.

To the Parties:

Continental Steeragers by Italian Lines. (G. No. 88)

10215

I sent the Parties this morning the following cable received from Secretary Sandford:

"Luisiana sailed today 1700 steeragers including about 1000 continentals. Many passengers demand continental tickets via Italian Lines account low rates. Situation extremely serious. Agents complying with conference rules losing their business must receive protection. Again we urge Cunard, Austro reduction eastbound rates via Fiume, Trieste."

A nearly identic cable has been received by Hapag.

Respectfully,

H. PETERS.

10216

Petitioner's Exhibit 986.*G. No. 93.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 15th, 1908.

To the Parties:

10217

Russian Lines.

Hapag send me the following report which they
 have received from Libau: (Translation)

"Volunteer Fleet.

10218

"Business of this Co. on their Line Libau-Newyork is retrograde slowly but steadily. The first steamer that was withdrawn was the 'Smolensk' which on October 30th sailed last for Newyork and after her return was sold to the Government and sent to Sewastopol. The latest news are that also the steamers 'Saratow' & 'Moskwa' are no longer to continue their sailings but are to be committed to the Line Odessa Wladiwostok. So there remain for the Libau-Newyork service only the steamers 'Petersburg' and 'Cherson.' 'Petersburg' sails today from Libau for Newyork and it is generally said that this is to be her last trip. Then there would only be the 'Cherson.' It is true it is rumored that a big steamer is being built in England for the company for the Libau-Newyork line, but it will take some time before she will be ready; so it is to be expected that for a certain period the sailings between

Petitioner's Exhibit 986

10219

Libau-Newyork will have to be dropped entirely. We add that the agent of the Volunteer Fleet Mr. Knie of Knie, Falck & Co. is very sick and it is doubted whether he will recover.

"Russian East Asiatic S. S. Co.

"On June 19th the new steamer of this line, 'Rossia' is to make her first trip to Newyork. She is of 15000 Tons Gross R and has accommodation for 40 I., 58 II., 264 III. Class and 1400 passengers in steerage. Business of this Company seems to develop favorably. Their steamers of late get full cargo home and also sufficient outward. It is expected that in the course of the year their business will be extended considerably as the Company has bought here real estate where a building is being erected in which offices and administration are to be combined and which likely will be ready in autumn."

10220

Respectfully,
H. PETERS.

10221

10222

Petitioner's Exhibit 987.*G. No. 94.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena

Jena, May 15th, 1908.

To the Parties :

10223

Continental passengers by Italian Lines. (G. No. 92)

I received the following cable from Secretary Sandford :

"San Giovanni (Sicula Americana) sailed today 2000 steeragers including about 700 Continentals."

Respectfully,

H. PETERS.

10224

Petitioner's Exhibit 988.

10225

G. No. 95.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 15th, 1908.

To the Parties:

Compensation for fighting rates. (G. No. 85)

10226

Lloyd write:

"We beg to acknowledge receipt of circular letter G. No. 85 and note the offer of the White Star Line to put in a steamer or two at fighting rates under the condition that the Atlantic Conference compensate them for the difference. We think that it will be of little use to consider this proposition before the Continental Lines have come to an understanding among themselves.

"In claiming the full difference, the White Star Line is apparently not aware of the fact that the North German Lloyd has carried thousands of passengers at fighting rates without receiving any compensation whatever and that, for another large number of passengers carried at cut rates, both the North German Lloyd and the Hamburg-American Line were only partly compensated."

10227

Respectfully,

10228

Petitioner's Exhibit 989.

G. No. 96.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 15th, 1908.

To the Parties:

10229

Newyork & Continental Line & C. P. R. (G. No. 90)

With reference to G. No. 70 the Donaldson Line write that they quite agree with the views of the White Star Line regarding rail commission to Newyork and Continental Line.

Respectfully,

H. PETERS.

10230

Petitioner's Exhibit 988.

10225

G. No. 95.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 15th, 1908.

To the Parties:

Compensation for fighting rates. (G. No. 85)

10226

Lloyd write:

"We beg to acknowledge receipt of circular letter G. No. 85 and note the offer of the White Star Line to put in a steamer or two at fighting rates under the condition that the Atlantic Conference compensate them for the difference. We think that it will be of little use to consider this proposition before the Continental Lines have come to an understanding among themselves.

"In claiming the full difference, the White Star Line is apparently not aware of the fact that the North German Lloyd has carried thousands of passengers at fighting rates without receiving any compensation whatever and that, for another large number of passengers carried at cut rates, both the North German Lloyd and the Hamburg-American Line were only partly compensated."

10227

Respectfully,

10228

Petitioner's Exhibit 989.*G. No. 96.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 15th, 1908.

To the Parties:

10229

Newyork & Continental Line & C. P. R. (G. No. 90)

With reference to G. No. 70 the Donaldson Line write that they quite agree with the views of the White Star Line regarding rail commission to Newyork and Continental Line.

Respectfully,

H. PETERS.

10230

Petitioner's Exhibit 1282.

10231

G. No. 97.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 16th, 1908.

To the Parties:

Continental steeragers by Italian Lines. (G. No. 94)

10232

The numbers of emigrants by "San Giovanni" as stated in G. No. 94, is corrected by Secretary Sandford. They are

Total: 2240: of which 550 Continentals.

Austro Americana report by a telegram of yesterday that 800 Austrian emigrants passed Udine en route from Genoa. They are probably part of the passengers by the steamers mentioned in G. No. 66. The Newyork correspondent of the "Shipping Gazette" reported in Newyork it was stated that the Italian Government had given the Italian Lines specifically low Railroad fares. Austro further say that their "Eugenia" left Newyork on 13th inst. with only 220 Continentals.

10233

With reference to the cable communicated in G. No. 92, I received the following from

Cunard 15/5. 7:48 p. m.

"Regret cannot agree reduce Fiume Trieste eastbound rate having regard to our position in pool."

To induce Austro to reduce their rate to Trieste can hardly be considered. In view of their not being

10234

Petitioner's Exhibit 990

a member to the Pool it would only tend to increase the diversion of Continental business without there being any compensation for the Parties to the Agreement.

I cable Sandford:

"Cunard decline being excess. Austro not being member agreement cannot be entertained."

Respectfully,

10235

Petitioner's Exhibit 990.

G. No. 98.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 19th, 1908.

To the Parties:

10236

Control stations; Passengers for British Lines.

The White Star Line send me the following copy of a letter to them from the

*"Anglo Continental Reisebureau, dated Rotterdam,
May 9th, 1908.*

"Replying to your favor of the 7th inst. by which you ask us to promptly advise you in the event of any of your passengers experi-

Petitioner's Exhibit 1282.

10231

G. No. 97.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 16th, 1908.

To the Parties:

Continental steeragers by Italian Lines. (G. No. 94)

10232

The numbers of emigrants by "San Giovanni" as stated in G. No. 94, is corrected by Secretary Sandford. They are

Total: 2240: of which 550 Continentals.

Austro Americana report by a telegram of yesterday that 800 Austrian emigrants passed Udine en route from Genoa. They are probably part of the passengers by the steamers mentioned in G. No. 66. The Newyork correspondent of the "Shipping Gazette" reported in Newyork it was stated that the Italian Government had given the Italian Lines specifically low Railroad fares. Austro further say that their "Eugenia" left Newyork on 13th inst. with only 220 Continentals.

10233

With reference to the cable communicated in G. No. 92, I received the following from

Cunard 15/5. 7:48 p. m.

"Regret cannot agree reduce Fiume Trieste eastbound rate having regard to our position in pool."

To induce Austro to reduce their rate to Triest can hardly be considered. In view of their not being

10234

Petitioner's Exhibit 990

a member to the Pool it would only tend to increase the diversion of Continental business without there being any compensation for the Parties to the Agreement.

I cable Sandford:

"Cunard decline being excess. Austro not being member agreement cannot be entertained."

Respectfully,

10235

Petitioner's Exhibit 990.

G. No. 98.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 19th, 1908.

To the Parties:

10236

Control stations; Passengers for British Lines.

The White Star Line send me the following copy of a letter to them from the

*"Anglo Continental Reisebureau, dated Rotterdam,
May 9th, 1908.*

"Replying to your favor of the 7th inst. by which you ask us to promptly advise you in the event of any of your passengers experi-

Petitioner's Exhibit 990

10237

encing any difficulty at the German Control Stations, we report to you the case of two passengers, Woiciech Scia & Antoni Kopeinski, whom we forward to night via Grimsby to your care. These passengers having sent us by post from Galicia the usual deposits for third class tickets, were booked by us for your Company on the 20th ult. and were sent the enclosed interim tickets which were used always before, and the text of which was stipulated by the German Lines with your consent. The shortest route to Rotterdam was for these passengers via the Control Station at Myslovitz, and would have cost each of them £1.10 straight from their place of abode. The passengers however on their arrival on the 2nd inst. at Myslovitz were refused passing, were told there by the Agent of the German Lines that the tickets were false because they were not of any of the German Lines, and consequently they were transported back to the Galician frontier at Szezakowa. This fact you can observe also from the enclosed interim tickets of the passengers as on each of them in the left upper corner the Agent at Myslovitz wrote down 'Szez,' which means, to be returned to Szezakowa.

10238

10239

"The passengers were therefore obliged to take a very long round about way to Rotterdam via Vienna & Basle, the traverse of which lasted one whole week, and costed each of them £3—thus each of them £1.10.00 more than it would have costed via Myslovitz.

"Besides the passengers having been longer on their way to Rotterdam have more expenses for food etc. Whilst the journey via Myslovitz would have lasted only two days. The

10240

Petitioner's Exhibit 990

passengers have to sail by the 'Arabic' 14th inst., from L'pool so you can examine the passengers themselves as to the truthfulness of our statements.

10241

"Thus you see your passengers are not allowed the same facilities of the shortest routes to Rotterdam via the German Control Stations as other passengers on the Continental Lines, viz., Holland American Line or Canadian Pacific. Your passengers must take long round-about way, have therefore each at least £1.10.—more expenses and in spite of this you advised us to charge presently for third class tickets the rate of 150 marks, whilst Holland America Line, whose passengers may take the shortest way to Rotterdam, maintains lower rate. How can you expect from us any business? Is this not self explanatory, that you ought to have lower rate, because your passengers must pay much more for railway journey to Rotterdam."

Opportunity no doubt will offer to discuss the case at the Meeting on 25th inst. The interim ticket I shall bring along.

10242

Respectfully,

H. PETERS.

Petitioner's Exhibit 991.

10243

G. No. 99.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 19th, 1908.

To the Parties:

Pooling Assisted destitute Passengers.

10244

The Secretary of the N. A. P. C. writes with reference to G. No. 65:

"This subject was considered at a meeting of the British Lines held recently, and I am desired to inform you that it is still their opinion they should not be called upon to pool these passengers, but if the Continental Lines are unanimous in their views that they should be pooled, the British Lines consider that a lower rate of pool compensation should be applied to such business."

I have put this matter down for discussion at the near meeting.

10245

Respectfully,

H. PETERS.

10246

Petitioner's Exhibit 992.*G. No. 100.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 19th, 1908.

To the Parties:

10247

Libau Rates. (G. No. 84.)

The Secretair of the N. A. P. C. writes:

"Referring to my letter of the 9th instant, enclosing copy of my memo C. B. No. 7, embodying a letter from the White Star Line of the 6th inst. also to your circular letter G. No. 84. I find that my memo No. 7 referred to only included a portion of the White Star Line letter. The other part which should have been embodied, reads as follows:

10248

"Failing this solution, we would not object to reduce the rate ourselves, say by 20 or even 40 Marks, if compensated for the difference in fare by the Pool, but being, as already stated, plus parties in the Westbound pool, we would prefer the former course.

"Kindly obtain the views of the Lines hereon."

I have noted the matter for discussion at the meeting on 25th instant.

Respectfully,

Petitioner's Exhibit 1283.

10249

G. No. 101.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 19th, 1908.

To the Parties:

I informed the parties that the next meeting of the members of the Atlantic Conference on the 25th inst. at London is generally agreed upon. The Meeting is to take place at the Savoy Hotel.

10250

Enclosed I beg to send a list of subjects to be dealt with, besides Proposals regarding the different Agreements, made by several parties, which I would submit for consideration.

Respectfully,
H. PETERS.

10251

10252

Petitioner's Exhibit 1284.

ATLANTIC CONFERENCE.

*Subjects to be dealt with at the Meeting in London
25th May, 1908, Savoy Hotel, at 10 a. m.*

- 1) Compensation for fighting the New York Continental Line. (*vide* circular letters G. 95. 85. 64. 53. 52. 45. 29. 23.)
- 2) Compensation for 13 passengers of the "Baltic" ex Pretoria.
- 10253 3) Commission of the C. P. R. to the New York Continental Line. (G. 96. 90. 78. 76. 70.)
- 4) Competition of Italian Lines in Continental business. (G. 94. 92. 88. 83. 81. 73. 69. 68. 66. 60. 54. 50. 38.)
- 5) Promissory note. (G. 80.)
- 6) Allan Line's 100 Hirsh passengers. (G. 74. 63.)
- 7) Cunard Line's participation in settlements under Agreement Z. (G. 74.)
- 8) Pooling assisted destitute passengers (G. 99. 65.)
- 10254 9) Amendments to the agreements as per attached proposals.
- 10) Agreement H2. Allan Line & Austro Americana.
- 11) Reduction of rates from Libau. (G. 100. 84.)
- 12) Control stations; passengers for British Lines (G. 98) and commission for such passengers.

Jena, May 19th, 1908.

Petitioner's Exhibit 993.

10255

G. No. 102.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 19th, 1908.

To the Parties:

Russian Lines.

"Korea" of the East Asiatic arrived at Rotterdam 10256
 from New York May 15th, with 670 passengers in
 steerage, and 30 in cabin, and proceeded for Libau
 May 16th.

"Petersburg" of the Volunteer Fleet arrived at Rot-
 terdam from Libau with 388 passengers in steerage,
 and 5 in cabin, landed there 15 passengers for River
 Plate and Cape Town via London, and proceeded
 May 16th, having embarked 81 steeragers.

New York and Continental Line.

10257

"Avoca" sailed from New York May 5th, with
 650 passengers, landed them on May 17th at Hoek
 van Holland, and proceeded for Hamburg collided
 with steamer "Nordsee," and is ashore now with two
 big holes in the foreship.

"Vulturno" sailed from Rotterdam May 16th for
 Halifax with 90 steeragers of which 45 for Canada
 and 10 cabin passengers.

10258

Petitioner's Exhibit 994.*G. No. 103.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 20th, 1908.

To the Parties:

Changes in rates.

I beg to confirm my telegrams:

May 19th

10259

1) "In view of their excess Hapag advance east-bound steerage Deutschland thirty three, other steamers thirty Dollars."

May 20th

2) Cunard: "have made an advance in our west-bound British third class rates five shillings and advanced all eastbound third class rates Lusitania, Mauretania two dollars, other Liverpool steamers one dollar."

3) Star: "reduces eastbound steerage to twenty six dollars."

10260

American Line Southampton: "Reducing American Line eastbound Hamburg rate to 28 dollars."

Respectfully,

Star: (Translation) "Considering Cunard and Hapags advance Star reduces eastbound to twenty-eight only instead of twentysix."

Supplement to G. No. 103.

Jena 22/5.08.

Nasm: (Netherland Line) reduce eastbound two dollars.

Petitioner's Exhibit 995.

10261

G. No. 104.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 20th, 1908.

To the Parties:

Italian Lines. (G. 94.)

10262

I beg to confirm my to-days telegram:

"Hapag cable: Italian lines advanced east-bound steerage rates Neapel, Genua Palermo, Messina, Triest, Fiume twenty dollars, commission four."

Respectfully,

H. PETERS.

p. L. P.

10263

10264

Petitioner's Exhibit 996. -*G. No. 105.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 22nd, 1908.

To the Parties:

Italian Lines. (G. No. 104.)

I beg to confirm the following telegrams from Secretary Sandford:

10265

1) "Continental North Atlantic Lines met today all except Cunard agree disqualify Zotti Cunard object stating in its matter current belief large number agents selling continental passages via Genoa, Cunard think inopportune time discipline agents when unable give competitive rates to agents and advocate suspension of rules this blocks all efforts discipline agents who violate conference rules by booking for Italian lines via Genoa and for nonconference lines and renders conference entirely helpless."

10266

2) "All Italian steamers including June third stopped booking as fully engaged Udine June sixth also stopped half capacity already booked hope settlement achieved previous June third otherwise action necessary meet situation sailings after that date."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept. Recd. 25 May, 1908
 Ansd.

Petitioner's Exhibit 997.

10267

G. No. 106.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 22nd, 1908.

To the Parties:

Compensation for fighting rates. (G. No. 95.)

Secretary Smyth sent me a Memo to the Lines of
 the N. A. P. C. containing the following letters:

1) Anchor Line: May 15th:

10268

"In reference to your letter C. B. No. 9
 (G. No. 85) sending us copy of a letter from
 the White Star Line dated 8th May. We
 understood that a copy had been sent to Mr.
 Peters, and in view of the fact that the sail-
 ing date from Newyork of the S. S. 'Jelunga'
 cannot be before the first week in June, we
 are waiting to learn Continental Lines' views.
 Speaking generally on the subject we consider
 that the suggestion of the White Star Com-
 pany is a very good one indeed and compe-
 tition by their steamers might have a very
 salutary effect. On the point of principle,
 however, we consider that Messrs. Ismay, Im-
 rie & Co. might very well reduce their rate to
 compete with the Continental Lines without
 asking for any compensation for so doing. As
 they themselves point out that they are minus
 in Eastbound Pool, we can see no better plan
 for them to adopt to come up to their proper
 quota percentage than by reducing rates. The
 special compensation accorded to any one Line
 should not in our view be accepted as a prin-

10269

10270

Petitioner's Exhibit 997

ciple, but only be agreed to for a specific steamer, and specific date."

2) Allan Line: May 15th:

"Circular C. B. No. 9 (G. No. 85). We do not regard favorably the proposal of the White Star Line, but we will be glad to have the views of the others. We too are in the same position, so far as Eastbound carryings are concerned, that it to say, we are short of our percentage."

10271 Besides Secretary Smyth gives the opinions of the other lines on the same subject:

3) American
Dominion

"Agreed."

4) Canadian Pacific:

"Agree provided all Lines join."

5) Cunard:

"Would be disposed acquiesce if all Lines agree."

10272 The Red Star Line write: (Translation)

"G. No. 85. We consider it useless to try to come to an understanding in regard to further competing steamers so long as no general understanding in regard to the question of compensation is arrived at."

The question of compensation for fighting the New-york Continental Line has been put on the order of the day of Monday next.

Respectfully,

H. PETERS.

p. L. P.

Petitioner's Exhibit 998.

10273

G. No. 107.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, May 23rd, 1908.

To the Parties:

*Commission to agents for passengers booked at the
 Controlstations.*

With reference to the letter of the Secretary of
 the N. A. P. C. reading:

10274

"In reference to your letter of the 29th April
 a/d to Messrs. Ismay, Imrie & Co. with press
 copy of a letter of 28th April from N. D. L.
 to yourself attached thereto, this matter was
 referred to at recent meeting of the British
 Lines, and I am desired to say, that in view
 of the above letter from the N. D. L. approv-
 ing of a small fee being paid to Mr. Ichon,
 the British Lines are making this concession,
 say 5 marks, at Bremen and propose to apply
 this to other Head Agencies, where they find
 the necessity or desirability for it exists, on
 the ground that the agent is compelled to pay
 away the whole of the stipulated 15/—he is
 not receiving, and therefore has nothing left
 for himself.

10275

"I trust the other Continental Lines will not
 object."

The Cie. Gle. Transatlantique write :

" * * * au sujet de la commission de
 5/— a accorder en dehors de celle des 15/—

10276

Petitioner's Exhibit 999

reguliers. Tant qu'il ne s'agira que des passagers passant par les stations de controle, nous n'aurons pas a nous en occuper. Mais si cette mesure devait etre generalisee, nous nous regarderions en droit de nous y opposer, car elle serait contraire aux arrangements conclus."

Respectfully,

10277

Petitioner's Exhibit 999.

G. No. 108.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 23rd, 1908.

To the Parties:

10278

*New York Continental Line, Can. Pac. Ry. Co. &
Grand Trunk. (G. No. 90.)*

In further reference to G. No. 70 the Hamburg-American Line as well as the Holland-America Line are of the opinion that bookings by N. D. L. V. Lines via Canadian Pacific & Grand Trunk should be bound to the condition that the latter do not pay any commission to the New York Continental S. S. Line.

Respectfully,

Petitioner's Exhibit 1000.

10279

G. No. 109.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, May 23rd. 1908.

To the Parties:

Changes in rates. (G. No. 103.)

10280

I beg to confirm the following telegram:

"Ismay wires: We advance British rate five
 shillings for aliens American, Dominion, White
 Star."

Respectfully,

H. PETERS.

p. L. P.

(Stamped): Ismay, Imrie & Co., Pas-
 senger Dept. Recd. 25 May 1908
 Ansd.

10281

10282

Petitioner's Exhibit 1001.*G. No. 110.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 25th, 1908.

To the Parties:

Changes in rates (G. No. 109.)

In further reference to G. No. 103 & 109 the following changes in rates have been advised:

10283

Secretary Smyth, May 23rd:

"Anchor, Allan, Canpac advanced British third class five shillings aliens United States."

Canpac, May 23rd:

"We advance British rate five shillings for aliens to United States."

Lloyd, May 24th:

"Reduce eastbound New York and Baltimore regular steamers to twenty-eight dollars."

10284

Referring to the reduction of the Nordd. Lloyd, I beg to confirm my today's telegram reading as follows:

"Lloyd withdraws eastbound reduction advised yesterday. Rate regular steamers New York Baltimore remains unchanged Dollar thirty-one."

of which the Lines will please take notice.

Respectfully,

H. PETERS,

p. L. P.

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 27 May, 1908. Ansd.

Petitioner's Exhibit 1002.

10285

G. No. III.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 25th, 1908.

To the Parties:

New York Continental Line (G. No. 102).

10286

S. S. "Jelunga," which sailed from New York May 10th with 740 steerage & 10 cabin passengers, landed her passengers May 22nd at Hoek von Holland and proceeded from there to Hamburg.

Russian Steamers.

Referring to Circular Letter G. No. 102 the Lines will please take notice that by an oversight it has been omitted to state that S. S. "Korea" landed at Rotterdam 600 passengers.

Respectfully,

H. PETERS,
p. L. P.

10287

10288

Petitioner's Exhibit 1003.*G. No. 112.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 26th, 1908.

To the Parties:

10289

Changes in rates (G. No. 110).

I have to inform the Parties that the Nordd. Lloyd's communication of its withdrawal of its eastbound 28 Dollar rate as stated in G. No. 110, is a misunderstanding. The Nordd. Lloyd's eastbound rates for regular steamers are:

to New York	\$28.—
to Baltimore	\$28.—

Respectfully,

10290

Petitioner's Exhibit 1004.

10291

G. No. 113.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 27th, 1908.

To the Parties:

Changes in rates (G. No. 112).

10292

I beg to confirm my to-day's telegram reading as follows:

"Lloyd reduce westbound New York regular steamers Baltimore, Galveston to hundred twenty. Rates only apply off control-stations."

In my yesterday's letter G. No. 112 it should read at the foot of the letter *from* New York & *from* Baltimore instead of to New York & to Baltimore, which the Parties will please correct accordingly.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept. 10293
Recd. 29 May, 1908. Ansd.

10294

Petitioner's Exhibit 1005.*G. No. 114.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 29th, 1908.

To the Parties:

Russian Steamers (G. No. 102).

S. S. "Estonia" of the Russian East Asiatic S. S.
 Co. sailed May 27th with 28 second cabin and 1005
 steeragers from Newyork.

10295

Petitioner's Exhibit 1285.*G. No. 115.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 29th, 1908.

To the Parties:

I repeat here the following cable correspondence with
 Secretary Sandford:
 Sent: London, May 25th, 11.30 a. m.

10296

(1) "Referring your last cable Atlantic Conference Lines are unanimously agreed that under present conditions it is highly essential that the Conference regulations should be strictly enforced against agents and request New York Conference act accordingly and in cases of doubt refer same to arbitration."

London, May 25th, 11 P. M.

(2) "Meeting resolved opposition steamers to be put on berth against steamers Russian Volunteer Eastasiatic, Newyork Continental for eastbound business at the same or lower rates than these outsiders. Stop. Further extension of measure subject to unanimous decision of Atlantic Conference. Stop. Opposition steamer is appointed by vote by majority of members of Northatlantic and Continental Conferences in Newyork. Stop. Canpac to be considered to enable them to vote. Stop. Chairman shall have a casting vote in the event of votes being divided equally. Stop. In their decision members shall be guided by considering which steamer is best suitable for being most efficiently opposed regarding date of sailing; preference by steeragers, capacity. Stop. Terms being nearly equal steamers sailing direct for Continent of such party that is short or most short shall be appointed. Stop. If a British steamer is selected it must be subject to consent of Line concerned. Stop. New York Conferences to be at liberty appoint small committee to carry out this clause. Stop. If for such opposition steamer more passengers are booked than she can carry excess to be transferred to other suitable Conference steamer. Stop. Further by letter."

10298

10299

SECRETARY PETERS.

Received, May 27th:

"Your cable May 25th Cunard claim having served notice withdrawal February 17 from rules and regulations governing agents are not bound except articles fifteen and sixteen contract February 5,

10300

Defendants' Exhibit 26

to which in transmitting it I added:

"To the present case applies clause twenty of byelaws and if according article twenty-six the spirit of the contract is considered there can hardly be doubt that the Italian Lines' entering in Continental business in which they were not heretofore constitutes them new outside competing Lines for which agents were not working when the contract was concluded. Eventually arbitration will have to decide.

Respectfully,

10301

(Stamped) North Atlantic
Received 1/6—1908
Ackn'd 1908
Answered 1908
Passenger Conference

Defendants' Exhibit 26.

G. No. 116.

10302

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 29th, 1908.

To the Parties:

Enclosed I beg to send a copy of the minutes of the last meeting.

Respectfully,

H. PETERS.

Petitioner's Exhibit 1006.

10303

G. No. 117.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 30th, 1908.

To the Parties:

Compensation for fighting rates.

In accordance with G. No. 23 the Hamburg-American Line send me the following bill for passengers forwarded at reduced rates p. S. S. Pretoria 14 April. 10304

2049 adults 161 children to be compensated

at \$7.— per adult \$14906.50
 @ M. 4.20 M. 62607.30

which are to be divided according to the eastbound percentages as follows:

Allan Line	4.95%	=	M. 3099.06	
Anchor Line	3.93%	=	" 2460.47	
Cunard Line	15.12%	=	" 9466.22	
Hamburg American Line	12.35%	=	" 7732.00	
Holland American Line	6.10%	=	" 3819.05	
Norddeutscher Lloyd	18.79%	=	" 11763.91	
Red Star Line	8.56%	=	" 5359.18	10305
White Star Line	15.49%	=	" 9697.87	
American Line	8.72%	=	" 5459.36	
Dominion Line	1.50%	=	" 939.11	
Canpac	4.49%	=	" 2811.07	
	100.00		M. 62607.30	

I would request the Lines named to remit the respective amounts to the Hamburg American Line.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept. Recd. 1. Jun. 1908
 Ansd.

10306

Petitioner's Exhibit 1007.*G. No. 118.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 30th, 1908.

To the Parties:

10307

Karlsberg, Spiro & Co. Libau.

Lloyd sends me an advertisement of the Russian East Asiatic S. S. Co. in a Russian paper "Der Fraind" according to which since May 1/14 their passenger Department will no longer be managed by Messrs. Karlsberg, Spiro & Co., but that they will take it in hand themselves. Agents are requested to apply for authority etc. to the Company in St. Petersburg or to their Passenger Department in Libau. All letters to be addressed to the **Libau Department.**

Respectfully,

H. PETERS.

10308

Defendants' Exhibit 27.

10309

*G. No. 119.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 30th, 1908.

To the Parties:

Emigration to Chile.

The Cie. Gen. Transatlantique write (Translation):

"From informations received we gather that Chile is catering strongly for Bulgarian business. 400 passengers of this nationality are going to embark on a steamer of the Fraissinet Line for Marseille where an Italian steamer will take them for Chile. The Chilian Government is paying the fare."

10310

Italian papers report that 150,000 emigrants are to be sent to Chile in the course of 5 years.

Weekly service from Marseille to New York by La Veloce.

The Cie. Gen. Transatlantique send me the following advertisement of La Veloce:

10311

"New regular weekly mail service to New York

"Sailings from Marseille every Saturday

"For freight and passage 1st & 2nd class apply to the Agents Messrs. Marie Moreau & Co. 42 rue Sainte a Marseille,

and for passengers 3rd class (emigrants) to M. Debois 80 rue de la Republique a Marseille, Marchandise to be delivered at Mole C."

Transat thinks that it will be a Line with transshipment at Naples, but will obtain further information.

Respectfully,

10312

Petitioner's Exhibit 1008.

G. No. 120.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 30th, 1908.

To the Parties:

10313

Opposition Steamers.

I beg to confirm that according to information received from the Red Star Line their steamer "Finland," sailing from New York June 6th has been selected as opposition steamer against "Voluturno" with a rate of twenty-four dollars. Their present regular rate being \$28 they have claim to a compensation of \$4.

Respectfully,

H. PETERS.

10314

Defendants' Exhibit 28.

10315

G. No. 121.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 30th, 1908.

To the Parties:

Changes in rates (G. No. 113).

10316

The Cunard Line yesterday sent me the following telegram:

"We have today advanced third class as follows: westbound British all steamers except Umbria and Etruria five shillings; westbound Scandinavian Caronia, Carmania, Ivernia, Saxonia five Kroner, Finnish seven marks; eastbound all Liverpool steamer British Scandinavian, Continental one dollar."

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept. Recd. 1. Jun. 1908
 Ansd.

10317

10318

Petitioner's Exhibit 1009.*G. No. 122.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 1st, 1908.

To the Parties:

10319

A. E. Johnson & Co.

The Hamburg American Line send me the following letter from their Newyork representative which they ask me to circularize:

(Translation):

"Newyork May 12th 1908.

Per "Blucher"

"Dear Mr. Storm

10320

"Enclosed I beg to send you a cut from the 'Newyork Times' showing how A. E. Johnson & Co., advertise for the Russian Lines. Nevertheless disqualification is impossible owing to the Cunard Line opposing.

"With best regards

"Yours,

sign. E. L. BOAS."

The advertisement mentioned above is the following:

" 'Russian East Asiatic S. S. Co. Limited
 " 'Russian American Line
 " 'Direct Service Libau New York

Petitioner's Exhibit 1010

10321

" 'Rotterdam New York Line

" 'Direct Service Rotterdam New York

" 'The new Twin Screw Express Steamer

"Russia" 16000 Tons, with all modern improvements, wireless telegraph, etc., will make her maiden trip June 24th 2 P. M.

" 'All outside promenade deck rooms for Cabin Passengers. First class \$80, second class \$45; for further information apply to

"A. E. Johnson & Co., 27 Broadway, N. Y.' "

Respectfully,

H. PETERS.

10322

Petitioner's Exhibit 1010.

G. No. 123.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, June 1st, 1908.

To the Parties:

10323

Opposition steamer (G. No. 120).

According to information received from the Holland American Line their steamer "Nieuw Amsterdam," has been selected sailing from Newyork June 3rd as opposition steamer with a rate of twenty-four dollars against the Russian Volunteer steamer "Petersburg." Their present regular rate is \$32, but as no compensation is allowed for the excess beyond \$30, they will have to get \$6 compensation per adult.

Respectfully,

10324

Petitioner's Exhibit 1011.*G. No. 124.*

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, June 2nd, 1908.

To the Parties:

Russian Volunteer Fleet (G. No. 114).

10325

S. S. "Cherson" of the Russian Volunteer Fleet arrived at Rotterdam May 28th with 350 steeragers from Libau. She landed there 3 for the Holland American Line and 31 for London and proceeded for Newyork May 30th after having embarked 105 steeragers.

Petitioner's Exhibit 1286.*G. No. 125.*

ATLANTIC CONFERENCE.

Secretary's Office

10326 Telegraph Address:

"Secretair," Jena.

Jena, June 4th, 1908.

To the Parties:

Opposition Steamers (G. No. 123).

The Holland American Line informs me that their steamer "Nieu Amsterdam" which sailed from New York June 3rd in opposition against "Petersburg" got 1520 steeragers; the "Petersburg" got 950 steeragers.

Respectfully,

Petitioner's Exhibit 1012.

10327

G. No. 126.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 4th, 1908.

To the Parties:

The new steamer "Rossia" of the Russian East-
 asiatic S. S. Co. sailed from Libau June 1st, with 257
 steerage and 8 cabin passengers.

(Stamped): Ismay, Imrie & Co. Pas- 10328
 sengers Dept. Recd. 6. Jun. 1908.
 Ansd.

Petitioner's Exhibit 1287.*G. No. 127.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 4th, 1908.

10329

To the Parties:

Lloyd received from New York following cable:

"Conference Lines appointed committee to
 confer with counsel regarding arbitration
 against Cunard which in view Sherman anti-
 trust law requires careful consideration. Send
 documents by first mail. Pool agreement ur-
 gently needed."

Respectfully,

10330

Defendants' Exhibit 29.*G. No. 128.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 5th, 1908.

To the Parties:

10331

Mediterranean Business.

The Hamburg American Line inform me that their Director General Mr. Ballin in reply to an inquiry with Mr. Crespi, when Mr. Crespi would come to Hamburg for the proposed discussion has yesterday received the following telegram:

"Just returned here, am sorry for reasons am explaining by letter, cannot meet you until nineteenth instant on which date will arrive Hamburg."

Respectfully,

10332

Petitioner's Exhibit 1013.

10333

G. No. 129.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 6th, 1908.

To the Parties:

Disqualification of Agents. (G. No. 115.)

10334

This morning I received the following cable from
Mr. Sandford:

"Newyork Conference Lines except Cunard consulted counsel who advise arbitration Cunard. Case here must involve entire Atlantic Conference agreement of February 5th which might lead to public discussion of its provisions as to division of traffic showing it to be violation of Sherman Law. Under these circumstances and as Atlantic Conference agreement of February 5th clearly valid under laws of England and Germany Conference Lines interested are strongly of opinion arbitration absolutely necessary and should be held in Europe under Atlantic Conference agreement for violation by Cunard of articles 16 and 18. The situation here very serious. Control agents entirely illusory unless prompt and decisive action taken as Cunards present attitude encourages agents in booking for outside lines thus diverting business from Atlantic Conference Lines. Answer."

10335

10336

Petitioner's Exhibit 1013

to which I added:

"Await instruction if any of the Parties wish to take action according to cable."

Article 23 of the Contract says: "The execution and control of the fulfillment of the stipulations of the present contract are confided firstly to the Secretary * * *" but the tenor of the arbitration clause does not allow me to refer a matter in dispute to arbitration. This can only be done by any of the Parties and therefore I ask for instructions.

10337

What the Contract stipulates: "It shall be the duty of the Secretary to use every exertion to settle difficulties amicably." I have done by writing a letter to the Cunard Line on May 30th, but to which I have not received a reply up till now.

Respectfully,

H. PETERS.

10338

Petitioner's Exhibit 1288.

10339

G. No. 130.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 6th, 1908.

To the Parties:

Opposition steamers. (G. No. 123.)

10340

From Mr. Sandford I received a copy of his following Circular letter:

No. 19 Broadway, Newyork, May 27th, 1908.

"To the Lines.

"Dear Sirs:

"Appended is list of June sailings from New York including the Non-Conference steamers and indicating the '*fighting steamers*' (with rates) and provision for excess bookings, which selection of *fighting steamers* the sub-committee recommends for confirmation:"

10341

June	2.	Kaiser W. der Grosse
"	3.	Mauretania
"	3. 11 A. M.	Petersburg (Russian Volunteer Fleet).
"	3. 8 "	New Amsterdam (Fighting steamer) \$24—\$2
"	4. 10 "	Lützow (Excess to)
"	4.	La Provence
"	4.	Amerika
"	4.	Celtic

10342

Petitioners Exhibit 1288

	June 6.	2 P. M.	Volturmo (N. Y. & Continental).
	" 6.	11 A. M.	Finland (Fighting steamer) \$24—\$2
	" 6.	10 "	President Lincoln (Excess to)
	June 6.	10 A. M.	Oceanic (or Excess to)
	" 6.		Columbia
	" 6.		Campania
	" 9.		Kp. Cecilie
	" 10.		Bluecher
	" 10.		Ryndam
10343	" 10.		Teutonic
	" 11.		La Lorraine
	" 11.		Baltic
	" 11.		Grosser Kurfürst
	" 13.		Caronia
	" 13.		President Grant
	" 13.		Furnessia
	" 13.		New York
	" 13.		Vaderland
	" 16.		Kp. / Wilhelm
	" 17.		Lusitania
	" 17.		Adriatic
	June 17.	11 A. M.	Cherson (Russian Volunteer Fleet)
10344	" 17.	7 "	Potsdam (Fighting steamer) \$24—\$2
	" 18.	10 "	Bremen (Excess to)
	" 18.		K. Aug. Victoria
	" 18.		Cedric
	" 18.		La Savoie
	June 20.	2 P. M.	Avoca (N. Y. & Continental)
	" 20.	10 A. M.	Fr. Der Grosse (Fighting steamer) \$24—\$2
	" 20.	10 "	Zeeland (Excess to)
	" 20.		Umbria
	" 20.		Pennsylvania

Petitioners Exhibit 1288

10345

"	20.	St. Louis
"	20.	California
"	23.	Kaiser W. II.
"	24. 2 P. M.	Russia (R. E. A. S. Co.)
"	25. 10 A. M.	Prinz F. Wilhelm (Fighting steamer) \$24—\$2
"	25. 3 P. M.	Arabic (Excess to)
"	24.	Mauretania
"	24.	Noordam
"	24.	Majestic
"	25.	Deutschland
"	25.	La Provence
June	27.	Patricia
"	27.	Carmania
"	27.	Barbarossa
"	27.	Caledonia
"	27.	Philadelphia
"	27.	Kroonland
"	30.	Hamburg
"	30.	K. W. der Grosse.

10346

"If this schedule is accepted, it is recommended that the competition for June 3, 6 and 17, be advertised ten days before sailing of fighting steamer.

10347

"There is some doubt as to the 'Avoca' making her date as she has been in a collision abroad and also some doubt whether the 'Russia' will come out at all."

I take it that the Parties receive copies of the Sandford's promulgations direct through their American offices and therefore, if not otherwise desired, will not henceforth circularize them on my part.

Respectfully,

H. PETERS.

10348

Petitioner's Exhibit 1014.*G. No. 131.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 6th, 1908.

To the Parties:

10349 *Continental steeragers by Italian Lines. (G. No. 97.)*

Austro Americana send me a cut from a Trieste paper "Piccolo della Sera" of June 1st containing a report from Cormons, station on the Italian frontier of about the following contents:

"Remigrants

10350 "Cormons, May 31. This morning a special train arrived here from the kingdom (Italy) with about 2500 remigrants from America. Hungarians, Croations, Bohemians, Poles, Bosnians, Bulgarians etc. The passengers stopped here most of the day and made the village quite lively. They proceeded to their destinations by two special trains."

Probably the passengers were ex

Luisiane May 13th from New York with 1043 Continentals.

San Giovanni May 14th from New York with 550 Continentals.

Duca degli Abruzzi May 16th from New York with 548 Continentals.

Respectfully,

Defendants' Exhibit 30.

10351

G. No. 132.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 6th, 1908.

To the Parties:

Head-Tax.

10352

The Holland-American Line write:

"Whereas in regard to the separate collection of head-tax the British Lines have hitherto occupied the standpoint that the Board of Trade Rules did not allow such a proceeding, we have now lying before us a circular issued by the American Line, dated Liverpool, May 23rd, in which their agents are directed to show head-tax separately in issuing tickets to aliens. We gather from this instruction that the difficulties which formerly prevented unanimous action in this matter have been removed. Please find out if our conception is correct, so that in the affirmative the question of collecting head-tax separately by joint action of all the Lines may be brought up again."

10353

Respectfully,

Russian steamers (G. No. 125.)

S. S. Petersburg: Hapag reports the accurate figures of passengers to be 55 Cabin, 916 steerage.

10354

Petitioner's Exhibit 1015.*G. No. 133.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 6th, 1908

To the Parties:

Disqualification of Agents. (G. No. 129.)

10355

I received today the following letter from the Lloyd
 of June 5th, (Translation):

"As in spite of the cable sent to Mr. Sandford from London there is no improvement yet in the situation in America and as the representatives of the Cunard Line don't seem disposed by last reports to make earnest with Zotti, our Director General Wiegand as chairman of the last London meeting has seen cause to communicate with Mr. Watson direct and telegraphed him yesterday as follows: (Verbally)

10356

"Understand that in spite lengthy discussions last London Meeting your Newyork agents still refuse join action Atlantic Conference Lines in disciplining agents turning over Conference business to Russian Italian Companies and especially decline disqualify Zotti, whose activity for outside Companies proves extremely detrimental to joint interests. Attitude Brown's will absolutely check all efforts Atlantic Conference Lines exercise necessary control over agents and must severely prejudice Conference Lines' prestige, and lead

Petitioner's Exhibit 1015

10357

to general demoralization and heavy losses. Matter considered very serious by all Lines who claim Brown's attitude constitutes breach Contract and conflicts with articles 18, 22 and 26 and resolution 20 Atlantic Conference Agreement. As Chairman last London Conference consider it my duty call your attention to above facts and should be extremely obliged to hear that you are cabling orders to New-york agents to strictly adhere Agreement rules and cooperate with other Lines.

WIEGAND.' "

10358

By wire Lloyd inform me that the following telegrams have been received in reply to the above:

"Have received your telegram regarding agents. Will take matter up and communicate with you as soon as possible.—Cunard."

and today:

"Replying telegram understand there are legal complications under consideration New-york Conference on subject matter. We have suggested to our Newyork agents that Conference Secretary should cable full particulars to Peters. Watson."

10359

No doubt the cable which I transmitted to the parties this morning (G. No. 129) is the one referred to here.

Respectfully,

10360

Petitioner's Exhibit 1016.*G. No. 134.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 9th, 1908.

To the Parties:

10361 *Disqualification of Agents (G. No. 133.)*
 In pursuance of G. No. 133 the following telegraphic correspondence has passed:

1) Cunard 6.6 8.27 P. M.

"With reference to your letter of May 30th you will probably be aware that we have been in communication with Director Wiegand, chairman last London Meeting on the subject, and that we are giving the matter our consideration."

2) Cunard 7.6 9.4 P. M.

10362

"Referring my telegram sixth instant and Sandford's cable we cannot agree submit general question interpretation of Pool Agreement and resolutions to arbitration because we agree that an agent who consistently and deliberately gives continental business to Italian Lines or other new competing Lines is liable disqualification if Conference Lines consider this course expedient of which we still have grave doubts only possible question for arbitration is whether such agents and or other agents actually doing this we are sending our New York agent copy of this message."

Petitioner's Exhibit 1017

10363

3) Sandford 8.6.

"Referring your cable 8 Cunard representative have informed Conference Cunard while expressing grave doubts as to expediency of action proposed by Conference not disposed further stand in way of carrying out policy and wishes of the other parties to Agreement Cunard withdrawing Zotti tickets to-day Volturno 321, Finland 1305 transferred 180 Oceanic."

Respectfully,

(Stamp): Ismay, Imrie & Co. Passenger Dept. Recd. 10364
11 Jun., 1908. Ansd.

Petitioner's Exhibit 1017.

G. No. 135.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 9th, 1908. 10365

To the Parties:

Mediterranean Business. (G. No. 128.)

The Hamburg American Line send me for promulgation copy of the following letter from Mr. Crespi to Mr. Ballin:

"Rome, June 2nd, 1908.

"Dear Sir:

"I have found this morning upon my return in Rome, your yesterday's telegram and

10366

Petitioner's Exhibit 1017

while thanking you for its contents, I beg to confirm my message of this date, reading as follows:

"'Just returned here am sorry for reasons am explaining by letter cannot meet you until nineteenth instant on which date will arrive Hamburg.'

10367

"I regret most sincerely not to be able to come to Hamburg before the 19th instant, but have at present pending many other very important and urgent affairs whose settlement being connected with high interests of my Company, absolutely require my personal attendance.

"I feel confident that we may succeed in bringing about from our interview some satisfactory result, in the meantime however I wish to point out that no attack was made by the Italian Lines to the others. On the contrary the attack came from the foreign Companies to the Italian Lines, whose action was consequently decided in accordance with the circumstances.

"Believe me, Dear Sir,

Yours faithfully,

10368

(Signed.)

CRESPI."

(Stamped): Ismay, Imrie & Co. Passenger. Dept.
Recd. 11 Jun., 1908. Ansd.

Petitioner's Exhibit 1018.

10369

G. No. 136.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 10th, 1908.

To the Parties:

Changes in Rates. (G. No. 113.)

With reference to the reduction of Lloyd's rates
off control stations advised by telegram of May 27th,
I am desirous to especially mention that this reduction
has been made in compliance with No. 11 of the Min-
utes of the Meeting of May 25th.

10370

Respectfully,

10371

10372

Petitioner's Exhibit 1019.*G. No. 137.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 10th, 1908.

To the Parties:

10373

Proposals regarding the different agreements.

With reference to the proposed amendments attached to G No. 101 which it has been decided at the London Meeting shall be considered as approved failing advice to the contrary being received by the Secretary from any Line prior to the 15th June the Hamburg American Line submit for consideration.

Proposal 6. To omit the letter from Mr. Allan to Mr. Ballin because after the percentages have been fixed by arbitration they think it without object.

10374

Proposal 9. Agreement Y should stand, since it contains the obligation of the Donaldson Line not to carry more than 200 third class passengers p. year eastbound, which obligation is not included in agreement Z and hence they consider it more than a mere historical document.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 12 Jun., 1908. Ansd.

Petitioner's Exhibit 1020.

10375

G. No. 138.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 11th, 1908.

To the Parties:

Promissory Note.

10376

As the Promissory Notes are to be deposited not later than the 15th inst. I beg to repeat here the form of it as it is generally adopted:

"On demand we promise to pay to the order of the General Director of the Hamburg-American Packet Company, the Chairman of the Cunard Steamship Company Limited and Hinrich Peters the sum of".....

At the same time I beg to state the amounts which such Line has to insert in its note:

Hamburg American Line	£ 31960	10377
Holland American Line	" 12730	
Norddeutscher Lloyd	" 45320	
Red Star Line	" 18270	
Allan Line	" 5570	
Anchor Line	" 7330	
American Line	" 15400	
Dominion Line	" 5970	
White Star Line	" 24090	
Cunard Line	" 28870	
Canadian Pacific Ry. Co.	" 4490	
Respectfully,		

10378

Defendants' Exhibit 31.*G. No. 139.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 11th, 1908.

To the Parties:

Immigration to Canada via U. S.

10379

Lloyd send me the following copy of a letter of the
 U. S. Commissioner General of Immigration to the
 Commissioner of Immigration at Baltimore, which
 may interest the Parties.

"DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF
 IMMIGRATION AND NATURALIZATION
 Washington.

51648/7

May 6th, 1908.

"Commissioner of Immigration,
 Baltimore, Maryland.

"Sir:

10380

"Under the Canadian Immigration Laws, as
 they are now in force, the Dominion officers at
 border stations are rejecting applicants for ad-
 mission to Canada unless each alien has over
 \$25.00 in money and a good address to go to.
 In many instances entrance has been denied
 even though the alien possesses the requisite
 amount of funds. This will be an important
 point to be considered in passing upon the ad-
 missibility of aliens in transit, and also show
 the need for production of additional proof
 than that heretofore furnished should refund
 of head tax be claimed on account of alleged
 transit passage.

Respectfully,
 (Sgd.) F. P. SARGENT,
 Commissioner General."

Respectfully

Petitioner's Exhibit 1289.

10381

G. No. 140.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 11th, 1908.

To the Parties:

Monthly Statements for May. (G. No. 87.)

I send today the monthly statements for May. In conformity with the Summary I have to request for the following payments being made: 10382

Allan Line	to Anchor Line	£ 1071
Dominion Line	" American Line	" 116
" "	" Anchor Line	" 692
" "	" Donaldson Line	" 80
White Star Line	" American Line	" 2106
Cunard Line	" Continental Lines	" 10754
Cunard Line	" American Line	" 3854

For the payment to the Continental Lines the Cunard Line will please send their check to me.

I beg the Parties to inform me when the payments have been made or received. 10383

Respectfully,

H. PETERS.

10384

Defendants' Exhibit 32.*G. No. 141.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, 11th June, 1908.

To the Parties:

10385

Promissory Note. (G. No. 138.)

I learn that in several countries it is required to put stamps on documents like the Promissory Note to make it legal. Will the Parties please attend to this before sending the document, or join a declaration of the respective authorities that no such stamp duty is required. Where there are several Lines in one country one such declaration would be sufficient.

Respectfully,

H. PETERS.

10386

Petitioner's Exhibit 1021.

10387

G. No. 142.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 12th, 1908.

To the Parties:

Mediterranean Business.

Lloyd write:

10388

On the last London Meeting the opinion was prevalent that it would be bad policy under present circumstances to advance the eastbound rates by the direct Mediterranean services of the Conference Lines as this would give the Italian Companies a welcome chance to raise their rates to a profitable basis and would tend to prolong the present struggle indefinitely. While we fully share these views we do not consider it quite fair that it should be left to the Lines, keeping their rates on an entirely unprofitable basis in the interest of *all*, to take all the losses upon their own shoulders. From April 1st till June 6th, we have had 7 steamers at a rate of \$15 (less \$2 commission) and one steamer for which we charged only \$10. Bookings for most all of these steamers had to be closed considerable time before the departure, which proves that we could have filled them at much higher rates. By these steamers over 11500 steerage passengers were carried eastbound, and we estimate that the sacrifice we have brought so far in the common interest amounts to at least \$50,000. While we do not wish to open the question of a compensation for the passengers carried so far at reduced rates, we

10389

10390

Defendants' Exhibit 33

will, under the circumstances, have to seriously consider an increase of our rate by say \$5, if the other Lines interested cannot see their way to at least partly compensate us in future for the losses we shall have to sustain. We think that \$20 would be a fair basis for a compensation for our steamers.

I shall be obliged for getting the views of the other Parties on the point.

Respectfully,

Defendants' Exhibit 33.

10391

G. No. 143.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 12th, 1908.

To the Parties:

Change in Rates.

10392

White Star has reduced eastbound third class rates by channel service Cherbourg—Havre to twenty-eight dollars, also reduced five dollars from present rates to Oriental points by that service.

The rate to Havre and Cherbourg hitherto was \$34.

Respectfully,

H. PETERS.

P. S. According to telegram just received American Line Southampton followed the above reduction.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 15 Jun. 1908. Ansd.

Petitioner's Exhibit 1022.

10393

G. No. 144.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 13th, 1908.

To the Parties:

Transat inform me that the service from Marseille to Newyork by La Veloce, referred to in G. 119 applies only to merchandise and that is only by mistake that it has been advertised for 3rd class passengers.

10394

Italien Lines

Transat write: (Translated)

"We received your circular letter informing us that the meeting between Mr. Ballin & Mr. Crespi has been postponed until 19th inst. We send you enclosed an article from an Italien paper the contents of which show why Mr. Crespi cannot go to Hamburg before the date indicated:

10395

"The article mentioned from a paper of June 9th has about the following contents:

"Amendments to the Emigration law Rome June 3rd. To-day the Commission which is to examine the draft of the amendments to the emigration law held a meeting Commodore Crespi, Director of the Navigazione Italiana presiding.

"Mr. Crespi has explained the bad conditions made to our flag by the obstinate compe-

10396

Petitioner's Exhibit 1022

tition of foreigners and has asked for prompt and energetic measures of protection. He delivered a long Memorandum, which the commission has promised to take in consideration.' "

The Shipping Gazette has the following correspondence from Genoa June 5th:

"There is strong agitation in favor of preferential treatment for Italian emigrants carried under the national flag and the form suggested is free or partly free railway passes."

10397

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 15 Jun. 1908 Ansd.

10398

Petitioner's Exhibit 1023.

10399

G. No. 145.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 13th, 1908.

To the Parties:

Continental Business via Italien Lines. (G. No. 144.)

The White Star Line send me copy of a Letter dated June 3rd addressed by their Genoa office to the White Star Line, Newyork, which will no doubt interest the Lines:

10400

Passenger Department,
 Genoa, June 3rd 1908.

White Star Line,
 New York.

Continental Business via Italien Lines.

"Dear Sirs,

"In reply to your favor of the 15th ulto., we beg to inform you that the Italien Lines have succeeded in obtaining a small reduction from the State Railways for emigrants travelling from Genoa to Cormons at the Austro-Hungarian frontier. The previous rate for emigrants travelling in number of at least fifty was 13.75 and since May 6th this has been reduced to Lire 12.05 per person. Besides the Baggage of these emigrants is forwarded at the freight rate of Lire 3 per cwt. whereas previously Lire 18.50 were charged per cwt. If the number of emigrants is below fifty, they pay the general fare of Lire 22. from Genoa to Cormons.

10401

10302

Petitioner's Exhibit 1023

"From Cormons the following rates are charged for passengers travelling in number of at least five to one destination :

	To Vienna	8.—	crown pieces.
	" Budapest	9.80	"
	" Fiume	3.10	"
	" Trieste	1.30	"
	" Laibak	3.60	"
	" Agram	3.60	"
	" Temesvar	18.80	"
	" Grosskikinda	18.80	"
10303	" Zombloy	18.80	"
	" Kaschau	18.80	"
	" Bukarest	27.15	"
	" Krakau	15.40	"
	" Tarnopol	20.55	"
	" Olmuetz	13.60	"
	" Oswiecin	13.60	"
	" Oderberg	13.60	"
	" Mislovia	14.40	"
	" Lemberg	20.55	"
	" Prag	17.30	"
	" Belgrad	14.65	"
	" Brody	20.55	"
10304	" Warschau	28.06	"
	" Karlstadt	11.10	"

Hapag has got exactly the same information from their Genoa representative as far as the fares and freight rate to Cormons are concerned.

Austro informed me, that on the 4th inst 460 Austrian emigrants passed Cormons.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 15 Jun. 1908 Ansd.

Petitioner's Exhibit 1024.

10405

No. 146.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 13th, 1908.

To the Parties:

New York and Continental Line.

The Holland American Line inform me that the "Avoca" which after the collision with the steamer "Nordsee" returned to Rotterdam, was arrested there soon after the collision and since has been at Rotterdam. The embargo has not been taken up yet. There is therefore no chance that the "Avoca" can take her berth for the sailing advertised for June 20th.

10406

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 15 Jun. 1908 Ansd.

10407

10408

Petitioner's Exhibit 1025.

G. No. 147.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 15th, 1908.

To the Parties:

10409

Russian Steamers (G. No. 132.)

S. S. "Estonia" of the Russian East Asiatic S. S. Co. which sailed May 27th from New York with 1000 steeragers arrived at Rotterdam June 7th landed all her passengers and proceeded June 10th to Libau.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 17 Jun. 1908 Ansd.

10410

Petitioner's Exhibit 1026.

10411

G. No. 148.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 15th, 1908.

To the Parties:

Promissory Notes. (G. No. 141.)

10412

The Allan Line have sent me their note for the amount of £7420.— which includes £1850.— for their share in the westbound Continental steerage traffic of 1.85%. Likewise the Donaldson Line sent a note for £200.— for their 0.20% in the same traffic, whilst the Dominion have not included their 0.74% in the amount of their note.

Agreement Z not containing a proviso for a deposit I think the Canadian Lines for their Canadian services are not under obligation to make a deposit and I therefore did not include them in the statement in G. No. 138 of the amounts to be deposited.

I should like to get the views of the parties on this point, and further beg to refer to G. No. 141.

10413

Respectfully,

H. PETERS,

p. Rep.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 17 Jun. 1908 Ansd.

10414

Defendants' Exhibit 34.*G. No. 149.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 17th, 1908.

To the Parties:

10415

Change in Rates. (G. No. 143.)

The Cunard Line sent me the following telegram:
 Liverpool 16/6.9.29 p. m.

"Have advanced westbound British Scandinavian rates Lusitania, Mauretania by five shillings making British rate aliens eight pounds citizens etc. seven pounds five shillings also advanced eastbound British, Scandinavian rates Lusitania, Mauretania to equivalent of westbound alien rate."

Respectfully,

10416

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 19 Jun. 1908 Ansd.

Petitioner's Exhibit 1027.

10417

G. No. 150.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 17th, 1908.

To the Parties:

Russian Volunteer.

10418

I beg to advise that according to an information which I received from abroad the Russian Volunteer Fleet will not send out any more steamers until west-bound traffic improves.

Respectfully

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 19 Jun. 1908 Ansd.

10420

Petitioner's Exhibit 1028.*G. No. 151.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 17th, 1908.

To the Parties:

10421

Compensation for fighting rates

Re the question of compensation for passengers overbooked for S. S. Pretorio and Barborossa I beg to advise that I submitted the attached statement of the case to Mr. J. Bruce Ismay requesting his decision, which I shall communicate, as soon as it is received.

Respectfully,

H. PETERS.
 p. Rep.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 19 Jun. 1908 Ansd.

10422

At the London Meeting, May 20th, 1908 it was agreed:

"The question of compensation to the White Star Line for the passengers overbooked for the 'Pretoria,' April 14th and transferred to the 'Baltic,' and to the Holland America Line for the passengers also overbooked for the 'Pretoria' and 'Barborossa' and transferred to the 'Potsdam' and 'Noordam' to be referred to Mr. Ismay for decision."

Statement of the Cases:

(1) On March 18th the Secretary wired to the Parties:

"Red Star wires: to meet eastbound rate 23 dollars 'Voluturno' 11th April propose reduce rate Hapag, Red Star steamers sailing same date 23 dollars. Difference between 23 dollars and regular rate of said steamers to be supported by all Atlantic Conference Lines *pro rata* eastbound percentages."

Lloyd thought it sufficient if Hapag alone reduced to \$23—and agreed to a compensation of \$7—per adult, the Hapag rate at that time being \$30. This proposal was agreed to by all the A. C. Parties as confirmed by the Secretary's circular letter G. No. 23. Consequently the Hamburg American Line was only compensated at the rate of \$7 per adult, although at the time the "Pretoria" sailed their rate had been advanced by \$4 to \$34. 10424

The Hapag steamer sailing April 11th was the "Pretoria" which carried 2374 steeragers. 448 passengers were booked in excess of her capacity, of which 435 were transferred to the steamer "Noordam," of the Holland America Line, sailing April 15th, and 13 to the steamer 'Baltic' of the White Star Line, April 16th. The eastbound rate of the Holland America Line and the White Star Line on March 18th was \$30.—, when the "Noordam" and "Baltic" sailed their rate had been increased to \$34. 10425

With reference to these latter 13 passengers the White Star Line wrote to the Secretary on April 28th as follows:

"Dear Sir:

"The following is extract from letter dated 18th inst to hand from our New York office:

10426

Petitioner's Exhibit 1028

"S. S. "Baltic." There are 13 Continental passengers on this steamer transferred to us from the S. S. "Pretoria" at the \$23 rate (net \$21) to Hamburg. The Hamburg Line, we understand, transferred over 400 of their over-booked passengers to the Holland American Line steamer on the same terms. We are advised by the Hamburg Line that an agreement exists whereby they and the N. G. L. are to cut their rates Eastbound to meet the competition of the two Russian Lines when the latter have steamers sailing and the loss involved is to be borne equally by all the members of the Pool. As our net rate is \$32.—, the difference involved is \$11.— on each passenger. It was on these conditions that we agreed to take the passengers.' "

10427

"We take it there is no question as to our being compensated for the difference in rate referred to, and shall be glad to have your confirmation."

10428

On May 6th the Holland America Line handed in a bill to the Secretary of the A. C. for the above mentioned 435 steeragers ex "Pretoria" as per annex 1, requesting him to collect the amount of \$5061.76 from the Parties. A compensation having only been agreed to for the "Pretoria" and only to the amount of \$7.— per adult, the Secretary did not see on which title he could have asked the Parties to settle the claims and left the matter pending for a discussion, which resulted in all Parties agreeing to Mr. J. Bruce Ismay being asked to decide the points in question which maybe are:

(a) Are the Steamers "Noordam" and "Baltic" entitled to a compensation?

Petitioner's Exhibit 1028

10429

(b) To what amount are they entitled to compensation?

(c) Who has to pay the compensation, and in which proportion?

(2) The Holland America Line by their steamer "Potsdam," sailed from New York April 8th, took 325 steeragers, overbooked for Lloyd steamer "Barbarossa," which sailed from New York on April 9th with 2286 steeragers.

On April 4th the Hamburg American Line had received the following cable from New York:

10430

"North German Lloyd stopped booking Barbarossa ninth April. This will drive business to Petersburg eight April, Volturno eleventh April, therefore suggested to North German Lloyd to continue booking Barbarossa transferring overflow to Amerika ninth April at twenty four dollar rate for account of Atlantic Pool. Do you agree? Expect Pretoria eleventh April will be overbooked. Shall we continue booking and transfer overflow to following steamers also for account of Pool? Cable instructions."

In communicating this cable Hapag strongly advised to agree to the proposal and asked the Secretary to get the votes of the Parties by urgent telegrams. April 4th being Saturday it would have been to no purpose to send telegrams to the British Lines that day. In the meantime the Holland America Line proposed the overflow should be sent by their "Potsdam" April 8th instead of by the "Amerika" April 9th, this being cheaper for the Pool, since "Potsdam" rate was \$34—against "Amerika" \$38—They were prepared to take the passengers ex "Barbarossa" at the \$24.—rate at which they were booked, if they

10431

10432

Petitioner's Exhibit 1028

were paid the difference against their regular rate by the Pool. Whilst there was no objection of the Continental Lines to the excess ex "Barbarossa" being shipped by the "Potsdam," they disagreed on the question of compensation, and the Secretary being unable to make the British Lines a definite proposal, omitted to wire them the more so as he could hardly expect to get their replies in time.

On April 17th the Holland America Line wrote to the Secretary: (Translation):

10433

"As there was no time left to settle the question of compensation for taking Lloyd's excess passengers ex "Barborossa," booked at the opposition rate, before the sailing of our steamer 'Potsdam' we have, without awaiting the result of the respective negotiations, to-day instructed our New York office to accept such overflow from steamer at the reduced rate if space is left. We did so taking it for granted that the Parties would admit that this measure was right and proper, and that having regard to our being a party considerably in excess in the Pool they would compensate us for the difference between our regular rate and the special rate."

10434

The bill of the Holland America Line is in annex 2.

This case differs from the first ones in that respect that the "Pretoria," from which the passengers per "Baltic" and "Noordam" came, in compensation for having made an opposition rate got \$7.— per adult, whilst the "Barbarossa" from which the passengers per "Potsdam" came, got no compensation, in consequence of a special arrangement between the Continental Lines.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 19 Jun. 1908 Ansd.

Petitioner's Exhibit 1029.

10435

Annex 1

Copy.

*Holland Amerika Linie**Account*

for 406/1, 14/2, 15/0 Hapag passengers ex S. S.
 "Pretoria" shipped per S. S. "Noordam" eastbound
 April 15, 1908.

	Difference	
Noordam rate	\$34.—	10436
Hapag accounted these passengers to us at	\$23.—	
	<hr/>	
Difference p. 1/1	\$11.—	
Total Difference for 406/1, 14/2, 15/0—		
413/1 @ \$11.—	\$4543.—	
Difference in inland fares from Rotterdam and inland fares from Hamburg credited to us	" 470.50	
Inland fares for 19 passengers holding Ha- pag tickets to Hamburg @ \$2.54	" 48.26	
	<hr/>	
Total Difference	\$5061.76	10437

10438

Petitioner's Exhibit 1030.*Annex 2*

Copy.

*Holland Amerika Linie**Account*

for 316/1, 6/2, 4/0 passengers ex S. S. "Barbarossa"
and shipped per S. S. "Potsdam" eastbound April 8th
1908

Potsdam Rate	\$34.—
--------------	--------

Lloyd accounted these passengers	
----------------------------------	--

10439 to us at	"24.—
----------------	-------

Difference p. 1/1	\$10.—
-------------------	--------

Total difference for 316/1, 6/2, 4/0 =	
--	--

319/1 @ \$10.—	\$3190.
----------------	---------

Defendants' Exhibit 34a.*G. No. 152.***ATLANTIC CONFERENCE.**

Secretary's Office

10440 Telegraph Address:

"Secretair," Jena.

Jena, June 17th, 1908.

To the Parties:

Monthly Statements for May. (G. No. 140.)

In my circular Letter G. No. 140 it has been overlooked to mention that in conformity with Summary No. 3 the Canadian Pacific has to pay to the American Line £256.— of which the respective Lines will please take notice.

Respectfully,

Defendants' Exhibit 35.

10441

G. No. 153.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 18th, 1908.

To the Parties:

Change in rates. (G. No. 149.)

10442

From the Secretary of the N. A. P. C. I received
the following telegram:

Liverpool 17/6. 5.24 p. m.

"White Star advanced five shillings British
third class westbound Baltic, Cedric, Celtic,
Arabic effective to-day other steamers unal-
tered."

Respectfully,

H. PETERS,

p. L. P.

10443

10444

Petitioner's Exhibit 1031.

G. No. 154.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 18th, 1908.

To the Parties:

10445

S. S. "Petersburg" of the Russian Volunteer arrived from New York at Rotterdam on the 15th inst. with 916 steeragers and 55 cabin passengers; after having landed 780 steeragers at Rotterdam she proceeded to Libau.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 20 Jun. 1908 Ansd.

10446

Petitioner's Exhibit 1032.

10447

G. No. 155.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 19th, 1908.

To the Parties:

II. Cl. Rate "off Cherbourg."

10448

From Mr. Hy Wilding I received the award re
II Cl. Cherbourg rate of which the Parties will please
find copy annexed.

Respectfully,

H. PETERS,
p. L. P.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 20 Jun. 1908 Ansd.

10449

10450

Petitioner's Exhibit 1033.*Annex to G. No. 155.19/6.08.*

The Moorings,
Basset,
Southampton.

June 16th, 1908.

Award.

10451

In its natural meaning the expression "Off Cherbourg" is not synonymous with "From Cherbourg." The steamer would be "Off Cherbourg" whether she had approached it from the eastward or from the westward and whether she was arriving or sailing.

The meaning submitted on the part of the White Star and American Lines, by reference to the Imperial Dictionary, is a meaning attached to the adverb Off not to the preposition Off.

10452

But the word has assumed a technical meaning in Passenger Agreements it was adopted to indicate a rate appertaining to a place other than a terminal of the Ocean Steamer carrying the passengers or a rate which might form only a portion of a through rate and the word has generally if not exclusively had this meaning in previous Passenger Agreements.

The Word has been used as applying to eastbound as well as to westbound business and to passengers coming to as well as departing from the place Off which the rate is quoted, see *e. g.*: Clause 3 in Agreement on Second Cabin business dated Liverpool 15th June 1898, Clause near the bottom of Page 2 of Agreement concerning Second Cabin business dated 5th. September 1902 and the corresponding Clause in the Agreement concerning Second-Class business dated London, March 1905.

Petitioner's Exhibit 1033

10453

The parties to this Arbitration differ as to the arrangement come to in February last and which is embodied in the last paragraph on page one of Agreement W. dated London, 5th. February 1908. Agreement W. is an Agreement for "Minimum Ocean rates for Second-Class passengers Eastbound and Westbound" and having regard to the natural meaning of the words "Off Cherbourg" or to the technical use of the word Off in previous Passenger Agreements I do not consider that the words "Off Cherbourg" in the paragraph now in difference are sufficient to show that the rate following them was intended to apply only to Westbound business and decide that this rate applies both Eastbound and Westbound.

10454

sign. HY. WILDING.

My fee £5:5:0. to be paid by the White Star and American Lines.

10455

10456

Petitioner's Exhibit 1034.*G. No. 156.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 19th, 1908.

To the Parties:

Reduction in eastb. rates by Italian Lines.

10457 The Hamburg American Line received the following cable from New York 18/6:

"Italian Lines issued circular sailings Verona July fourth, San Giorgio July seventh, Piemonte July eleventh, Indiana July fifteenth, Sannio July eighteenth, Nord America July twentieth, Ancona from Philadelphia July twentyfifth, Naples seventeen Dollars Triest, Fiume twenty commission four."

Russian eastbound reduction

10458 The Hamburg Line received cable that the Russian East Asiatic S. S. Co. reduced eastbound steerage rates for S. S. "Russia" sailing June twentyfourth to Rotterdam, from \$24 to \$22, Libau rate \$29.

Opposition steamers

S. S. "Potsdam" of the Holland Line sailed May 17th with 2025 steeragers from New York in opposition to S. S. "Cherson" of the Russian Volunteer Fleet which sailed the same date with 850 steeragers.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 20 Jun. 1908 Ansd.

Petitioner's Exhibit 1035.

10459

G. No. 157.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 20th, 1908.

To the Parties:

Change in Eastbound rates.

10460

American & White Star Lines reduced their east-bound Italian rate by their Channel Services to Turin to \$25.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 22 Jun. 1908 Ansd.

10461

10462

Petitioner's Exhibit 1036.*G. No. 158.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 20th, 1908.

To the Parties:

The White Star write:

10463

"We give you copy of letter dated June 13th received from our agent Mr. Fedor Berns of Antwerp, which you may consider interesting to the Lines:

10464

'In order to keep you posted about the passenger traffic on the Continent here, I beg to advise you that the 'Atlantic Express Co. of Rotterdam' are advertising extensively here a 2nd class fare off Antwerp at 150 francs gross & 135 francs nett to agents, to New York & Halifax steamers to leave fortnightly and in a short time weekly. When you consider that our fare is for the 3rd class, 150 marks and for the 2nd class 250 marks you will see that this is a disastrous competition to us, and cutting our rates to such an extent that it has made, and will make, such a difference to us, that it seriously affects the passenger traffic by the regular British Lines with direct sailings from here.'"

I beg to refer to circular Letters G. No. 12, 13 and 20 in which is said that the Atlantic Express Co is the Agency of the N. Y. Continental and Russian East-asiatic Line.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 22 Jun. 1908 Ansd.

Petitioner's Exhibit 1037.

10465

G. No. 159.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 20th, 1908.

To the Parties:

Cherbourg eastbound Rate of American & White Star.

10466

The White Star Line inform me that they advanced the eastbound II class rate to Cherbourg by the Majestic and Teutonic to £11,— in accordance with the award given by Mr. Wilding. They further say that the American Line, Southampton service have advanced the eastbound second class rate to Cherbourg to the same figure.

Respectfully,

H. PETERS,

p. Rep.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 22 Jun. 1908 Ansd.

10467

3489

10468

Petitioner's Exhibit 1038.*G. No. 160.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 20th, 1908.

To the Parties:

Mediterranean Business.

10469

The following replies have been received upon
Lloyds proposal re to compensation in the Italian east-
bound trade:

1) Holland American Line:

10470

"For the reasons already stated in G. No. 66 we are of opinion that the Lines interested in the direct Mediterranean business should not apply for compensation to the Atlantic Conference Lines. The fight that is being fought at present by the Italian Companies could very likely have been avoided if Mr. Ballin's original proposal had been accepted. Moreover it must not be overlooked that the Italian Companies have attacked the Continental Eastbound Business, not in order to fight the Continental Lines, but to fight the non-Italian Lines interested in Italian business. It is clearly a fight for Italian business, and it is exceedingly hard on the Continental and British Lines not interested in the Italian business that on account of questions which solely regard Italian business they are made to suffer. This is bad enough as it is. All the At-

lantic Conference Lines in proportion to their percentages bear already their share in the losses that are inflicted upon them by the Italian Companies and we do not think that the Lines not interested in the Italian business should be requested to participate any further in the expense connected with any measures that the Lines in the Mediterranean business may find necessary to take against the Italian Companies in order to protect their trade.

"We would further mention that the Lines not interested in the Italian business, so far as they are parties to Agreement L, would, if they agreed to Lloyd's proposal, have to compensate the Lines in the Mediterranean trade for the very same passengers who, if they had not had the opportunity of booking at the reduced rate, would to a certain extent have travelled by the French Line which has now to be compensated for not being able to get its share of that very same business on account of the reduced rates being practised by the Lines running direct to Italy."

10472

"For the various reasons mentioned we do not agree to Lloyd's proposal."

10473

2) Red Star Line endorses the letter of the Holland America which has been published on the same subject in G. No. 66.

3) Transat write:

"Puisque les bas prix n'empêchent pas les bateaux italiens de se remplir et puisque le Lloyd refuse du monde, nous ne voyons pas du tout pourquoi il est nécessaire de maintenir un prix de \$15. Il serait préférable, à notre avis, que cette Compagnie monte à \$20 comme

10474

Petitioner's Exhibit 1038

elle en manifeste l'intention. Le "Romanic" de La White Star applique le prix de \$20 au depart de Boston (circulaire du 20 Mai)

"Nous devons ajouter que si le Lloyd prend \$20 nous le suivrons immediatement."

4) Anchor Line:

10475

"We have perused Lloyds letter to you on this subject, and agree generally with the views expressed as to fairness of Continental Lines *not* in the direct Italian service showing the Lines that are in this business, some consideration for the loss the latter have been called on to bear by fighting Italian Lines at war rates.

"Our position is similar in every way to the Lloyds. By our steamers to Naples we have had a rate of \$13 less \$2 commission for 3 sailings, and a rate of \$15.00 less \$2 commission for two sailings and our rate for current sailings is still at \$15.00.

10476

"We cannot be expected to continue to aid North Atlantic Lines to save their Continental Eastbound bookings by fighting Italian owned Lines, at rates that leave a loss so we may be forced to advance rates to Italy which will just mean the Establishment for good of Italian owned Lines in the through booking of Continental Eastbound passengers via Genoa."

The other parties have not yet given their views.

Respectfully,

The reply of the White Star Line is just received reading:

"Mediterranean Eastbound business.

"Referring to your G. No. 142 we note Lloyd's remarks and think the question of compensation for the Mediterranean Services of the Conference Lines engaged in the fight with the Italian Lines should be brought up for consideration in the event of the forthcoming meeting between Mr. Ballin and Mr. Crespi not resulting in an early settlement of the present differences.

10478

"Since the 1st. of April we have had six sailings with nearly 8,000 passengers at rates from \$15 to \$20 as against our usual rate of \$35. and the 'Cretic' is advertised from New York June 20th. followed by the 'Canopic' from Boston June 27th. both at the \$15 rate. We hope however, that an early settlement will follow the negotiations now on foot and so obviate the necessity of this question of compensation being further considered.

"Failing an agreement with the Italian Lines it is undoubtedly in the interest of the Atlantic Conference that steps should be taken to prevent the Italian Lines restoring their Eastbound rates to a remunerative level, so long as they continue to attack the Eastbound Continental business."

10479

10480

Defendants' Exhibit 36.*G. No. 161.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 22nd, 1908.

To the Parties:

Amerikanische Transport Gesellschaft.

10481

The Cie Gle Transatlantique write:

"L'Atlantic Express Company a cree une succursale a Bale. Le representant de cette succursale est en meme temps celui de Zotti. Cette agence qui porte le nom de 'Amerikanische Transport Geselleschaft' pretend qu'elle peut faire des affaires avec toutes les compagnies du pool surtout au retour. Elle travaille en meme temps pour la Felotte Volontaire russe.

10482

"Nous serions beureux que les autres lignes fassent prendre des informations sur cette agence, et si elles sont conformes avec celles que n' possedons nous proposerons sa disqualification."

Will the Parties please inform me after having investigated in the above matter whether they agree with the French Line in the disqualification of the "Amerikanische Transport-Gesellschaft."

Respectfully,

Petitioner's Exhibit 1040.

10483

G. No. 162.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 22nd, 1908.

To the Parties:

New York Central Line.

10484

I am informed that S. S. "Vultorno" which sailed
 June 6th from New York with 325 steeragers landed
 her passengers at Hoek van Holland June 18th and
 proceeded the same day to Hamburg.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 24 Jun. 1908 Ansd.

10485

10486

Defendants' Exhibit 37.

G. No. 163.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 22nd, 1908.

To the Parties:

Change in rates.

10487

Mr. Smyth informs me of the following change in rates:

Liverpool 20/6. 10.12 a. m.

"Allan Liverpool advanced Libau 160, Riga 170, Antwerp, Rotterdam, Amsterdam 140 marks. Equivalent prepaid Allen Glasgow Rotterdam, Antwerp marks 140."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 24 Jun. 1908 Ansd.

10488

Defendants' Exhibit 38.

10489

G. No. 164.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 22nd, 1908.

To the Parties:

Head Tax

10490

In reply to G. No. 132 I receive the following information from the Secretary of the B. L.:

"Head Tax.—Replying to the remarks of the Holland-Amerika Line in your circular letter G. 132. I am desired to say that there is no change in the British Board of Trade law affecting the importation of foreign matter into contract tickets, but from information they have received the Lines do not anticipate any difficulty arising with the Board of Trade herein. Nevertheless this contingency is being kept in mind, hence the reason for confining the arrangements regarding head tax to British third class business as a beginning."

10491

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 24 Jun. 1908 Ansd.

10492

Petitioner's Exhibit 1290.*G. No. 165.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 22nd, 1908.

To the Parties:

Mediterranean Business.

10493

The Hamburg America Line write:

(Translation) "Between our Director General Mr. Ballin and Mr. Crespi, Director General of the Navigazione Generale at Rome, who had come to Hamburg for the purpose yesterday, the negotiations took place which had been contemplated some time ago for the purpose of a preliminary discussion of the question whether it is possible to end the present state of war in the Mediterranean business by an understanding.

10494

"The very minute deliberations have finally led to the result that a conference has been contemplated for July 20th in Lucerne.

"Director General Mr. Ballin only agreed to this proposition after the positive declaration on the part of Mr. Crespi that the Italian Lines would drop every claim as to participation in the Continental passenger business. The subject of the meeting therefore will only be either to try to bring about a pool arrangement between all the Lines interested in the Italian business or if this should be impossible to come to a rate agreement.

Petitioner's Exhibit 1290

10495

"The demand made in the beginning by Director General Mr. Ballin that the Italian Lines should establish the *status quo* before entering into further negotiations or to advance the Continental passenger rate to \$25 net, Mr. Crespi declared not acceptable under any circumstances.

"The H. A. L. requests me to ask all interested parties that is all parties belonging to the Atlantic Conference inclusive of the Cie Gle Transatlantique and the Austro Americana as well as the Fabre Line in Marseille whether they will take part in this Conference. The Italian Lines wish that the Prince Line be not invited in as much as this line has no concession at present."

10496

Requesting the favor of a reply by return

Respectfully,

(Stamped): North Atlantic Passenger Conference
Recd. 24 Jun 1908 Ack Ansd.

10497

10498

Petitioner's Exhibit 1041.*G. No. 166.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 23rd, 1908.

To the Parties:

Newyork uptown offices.

The Cunard Line write:

10499

"Referring to the Minutes of Conference Meeting held in London on the 25th ulto., para 14, on question relating to Uptown Offices in New York, we beg to say that we have, as then arranged, given this matter further consideration, but regret that we cannot see our way to depart from the understanding arrived at at the General Meeting of the Lines in London in February last, which provided that the question be reserved until the December meeting of this year. In view of that understanding we think that the Compagnie Generale Transatlantique should withdraw their tickets from the Sleeping Car Agency without making such withdrawal contingent on the acceptance by the parties to the Agreement of an additional stipulation, thereby placing themselves on the same footing as the other parties to the agreement."

10500

The Cie. Gle. Transatlantique will please inform me of their reply to the above suggestion.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 26 Jun. 1908 Ansd.

Defendants' Exhibit 39.

10501

G. No. 167.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 23rd, 1908.

To the Parties:

Fighting rates.

10502

Transat write:

"Nous avons bien reçu votre depeche nous distant que le 'Potsdam' etait parti de New York avec 2025 et le 'Cherson' avec 851 passagers. La concurrence qui a ete faite a ce navire ne l' a pas empeche de faire son plein absolu puisqu'il n'avait jamais pris autant de passagers. Il serait interessant de savoir comment l'Est asiatique s'est debarrasse des passagers qu'il a eus en trop, car il est bien certain qu'il en a laisse a terre. Nous esperons qu'ils n'ont pas ete pris par le 'Potsdam.'

10503

"Cette enorme expedition prouve que les passagers attendant le depart de ou des paquebots a bon marche. En effet, pendant la 21me semaine qui avait deux navires a bas prix, les lignes Continentales ont transporte 5367 emigrants, et pendant la 22me qui n'avait que des navires au prix normal elles n'en ont eu que 2798. Le resultat que obtenons n'est donc pas d'enlever des passagers a l'Est Asiatique, mais de le forcer a pratiquer des prix bas. Si nous voulons l'empecher de prendre des pas-

10504

Defendants' Exhibit 39

sagers, il faudrait que chaque semaine, qu'elle ait ou n'ait pas de depart, il y ait un ou peut-etre deux navires pratiquant des prix bas. Les passagers n'attendraient pas la semaine de la concurrence et nous pourrions arriver a faire le vide sur les paquebots de l'Est Asiatique; de plus, nous generions les lignes italiennes.

"Nous sommes obliges de faire plus que nous n'avons fait jusqu'a ce jour puisque le resultat que nous esperions n'est pas atteint."

10505

As to the 851 passengers which the Cherson took I would mention that on her voyage from New York on December 18th 1907 she had 1294 passengers embarked; it is therefore not probable that under the competition of the Potsdam the Cherson has obtained her full capacity.

Respectfully,

10506

Defendants' Exhibit 40.

10507

G. No. 168.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 24th, 1908.

To the Parties:

Ruijs & Co. agents of the Russasiatic at Rotterdam. 10508

The Holland America Line write:

"It may perhaps interest the Lines that the Russian East Asiatic Line, who as you are aware, were represented at Rotterdam by the Atlantic Express Co. (alias Landy), has lately placed their Rotterdam Agency into the hands of the firm of Ruijs & Co. shipbrokers."

The firm Ruijs & Co. have already been the agents of the East Asiatic until January last when they were replaced by Landy who opened an office under the name of the "Atlantic Express Co." The firm Ruijs & Co. lost their agency at that time by the East Asiatic because, so far as I am informed, Karlsberg, Spiro & Co. were pressing in this direction. Perhaps the above stands in close connection with the fact that according to the advertisement in the Russian paper "Der Fraind" (G. No. 118) Karlsberg, Spiro & Co. also lost their agency at Libau. 10509

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 26 Jun. 1908. Ansd.

10510

Petitioner's Exhibit 1042.*G. No. 169.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 24th, 1908.

To the Parties:

10511

Russian Volunteer & East Asiatic.

The Holland-America Line write:

"G. No. 150.

10512

"Our New-York office writes us that according to information from Mr. Sandford, Messrs. C. B. Richards & Co. have stated that the Russian Volunteer Fleet would discontinue the sailings of their vessels until the westbound situation has decidedly improved. They further write us that there is also a rumour to the effect that the Russian East Asiatic Company will stop their service after the sailing of ss. 'Rossia,' their new steamer, which has been scheduled to leave New-York on June 24th, but that they are not able to state where this rumour originates from."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 26 Jun. 1908. Ansd.

Petitioner's Exhibit 1043.

10513

G. No. 170.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 24th, 1908.

To the Parties:

New York Continental Line.

10514

S.S. Jelunga which left New York instead of the
 "Avoca" on the 20th inst. had 250 steeragers on board;
 the "Friedrich der Grosse" which sailed in opposition
 on the same day embarked 1009 steeragers.

On the former trip on 10th May when there was
 no steamer opposed to her, the Jelunga had obtained
 740 steeragers.

Respectfully,

H. PETERS.

p. Rep.

(Stamped): Ismay, Imrie & Co. Passenger Dept. 10515
 Recd. 26 Jun. 1908. Ansd.

10516

Petitioner's Exhibit 1044.*G. No. 171.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 24th, 1908.

To the Parties:

10517

Opposition steamers.

The Holland America Line has been informed by their Newyork office that besides the North German Lloyd steamer "Prinz Friedrich Wilhelm" (June 25th) the s.s. "Noordam," which is to sail from New York on the 24th of June, has been selected by the committee to act also as a competitive steamer to s.s. "Rossia" of the Russian East Asiatic Co. sailing the same day. The special reduced third class outward rate for the s.s. "Noordam" has been fixed at \$22.

Respectfully,

10518

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 26 Jun. 1908. Ansd.

Petitioner's Exhibit 1045.

10519

G. No. 172.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 25th, 1908.

To the Parties:

New Mediterranean Line from Venice.

10520

The Austro Americana have received from their Newyork representative the following cut from the Journal of Commerce, which will be of interest to the Parties, viz:

"Rumors were current in shipping circles yesterday of the establishment of an immigrant steamship service between New York and Venice, to be operated by one of the larger Italian Lines. The idea, according to the reports, is to enter into direct competition with the Cunard and Austro Americana services to Trieste and Fiume, using Venice as the port of arrival and departure."

10521

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 27 Jun. 1908. Ansd.

10522

Defendants' Exhibit 41.*G. No. 173.*

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, June 25th, 1908.

To the Parties:

Headtax. (G. No. 164)

The Cie. Gle. Transatlantique write:

10523

"Nous voyons que depuis quelque temps les lignes anglaises, qui avaient ete les plus opposees a cette mesure, content separment la head tax et le passage proprement dit.

"Nous avions demande d'adopter cette facon de proceder, mais ie nous avait ete repondu que le Board of Trade anglais s'y opposait et la Red Star avait declare que cela lui etait impossible. Puisque les lignes anglaises sont revenues sur leur decision, nous pourrions faire de meme.

10524

"En cotant separement la head tax, nous donnerons satisfaction au Commissaire general de l'immigration aux Etats-Unis, qui est revenu a plusieurs reprises sur cette question. De plus, il vaut toujours mieux, pour les compagnies qui ont souvent a modifier leur prix, mettre la head tax a part. En somme, nous ne ferions qu'adopter ce qui a ete decide pour les prepaids."

If found suitable the parties will perhaps take up the question of a uniform regulation of the headtax at the next meeting.

Respectfully,

Petitioner's Exhibit 1046.

10525

G. No. 174.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 26th, 1908.

To the Parties:

From the Holland-America Line I received the following telegram:

Rotterdam 25/6. 10.25 a. m.

"Noordam June 24 from New York with 1000 steerage. Russia June 24 from New York with 40 first 60 second 1140 steerage including 250 improved steerage."

10526

Respectfully,

Defendants' Exhibit 42.*G. No. 175.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

10527

Jena, June 27th, 1908.

To the Parties:

Change in rates.

From the Anchor Line I received the following telegram:

Glasgow 27/6. 9.37 a. m.

"Have reduced eastbound rate continental ports to thirty dollars."

Respectfully,

H. PETERS.

10528

Petitioner's Exhibit 1047.**ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 27th, 1908.

The Shipping Gazette in their edition of June 25th publish the following notes from their Newyork correspondent dated Newyork June 13th:

The Mediterranean Rate War.

- 10529 C. B. Richard and Co., passenger agents for the Prince Line of steamships, have given notice that, pending a return of normal conditions, the line has decided to discontinue its service between New York, Naples and Patras. Two vessels with a steerage capacity of 1,200 each—the Sicilian Prince and the Neapolitan Prince—have been used in maintaining his service, and both will be placed out of commission at Naples. The reason given by the Prince Line for its action is that with a net rate of \$8 per passenger from the United States and little westbound traffic at any price, it would not be profitable to operate the ships. After announcing the suspension of the Mediterranean service of the Prince Line, Mr.
- 10530 Richard said that the last sailing of the Russian Volunteer Fleet service would be by the steamship Kherson on June 17. "We have no criticism to make of the Prince Line for cutting off the service," said Mr. Oscar L. Richard yesterday. The Mediterranean steerage business is unprofitable to all concerned just now. The Italian lines are all reducing the number of their sailings, and I am informed that the White Star and other lines with Mediterranean services are doing likewise.

Asked as to the present status of the dispute between the five exclusively Italian lines and the other

Petitioner's Exhibit 1047

10531

lines having Mediterranean services, which resulted in a practical disruption of the Atlantic Steamship Conference some months ago and the precipitation of a ratecutting war, Mr. Richard said: "About all the American agents of the Italian lines know is that they have been instructed to attend no more meetings of the Atlantic Steamship Conference. Our principals abroad firmly believe that their lines should be allowed to handle Continental business to Austro-Hungarian ports on the same basis that the Cunard, Austro-Americana, French and other lines handle Mediterranean business. They propose to continue the fight." 10532

Discussing the rumors to the effect that a new service to Adriatic ports under the Italian flag would be started soon, Mr. Richard said: "A tentative proposition has been made by interests in Italy and Hungary to establish such a service, and the opinion of agents here asked. The reply in each case was that the vessels of such a line could be filled. So far as I know, no definite steps towards organising a new company have been taken." Under the agreement of the Atlantic Steamship Conference a commission of \$2 on each ticket sold was allowed to emigrant ticket agents. Since the withdrawal of Italian lines the commission rate has been largely advanced, as much as \$5 being offered in many instances. Some of the agents declare that the lines remaining in the conference have called in tickets and discharged agents who continue to sell tickets of the lines outside the conference. One emigrants' ticket agent, with a number of branch offices, in a typewritten statement issued yesterday, claims that the action of various lines in discharging him as agent constitutes an illegal boycott. He further declares it likely that a test case will be filed in the United States Court." 10533

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 29 Jun. 1908. Ansd.

10534

Defendants' Exhibit 43.*G. No. 176.*

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, June 29th, 1908.

To the Parties:

Headtax. (G. No. 173)

The Red Star Line write: (Translation)

10535

"We are opposed to the head tax being quoted separately on cash tickets. We confirm what we have already said formerly that the Belgian law does not allow the head tax to be quoted separately and our efforts with the Commissioner of emigration to the contrary have been resultless. We know that the Commissioner of Immigration wants the headtax to be generally levied separately for the reason that U. S. Citizens shall not be obliged to pay it. If the Lines are disposed to dispense U. S. Citizens from the headtax this can also be done in some other way, *f. i.*, by telling them that U. S. Citizens will be refunded the headtax on the other side if within a certain time they furnish official proof that at the time when they travelled they were U. S. Citizens.

10536

"We regret that the N. D. L. V. Lines at that time have engaged themselves to partially quote the headtax separately for the effect of this measure has been nothing else but confusion."

Respectfully,

(Stamped): North Atlantic Passenger Conference.
Recd. 1 Jul. 1908. Ackd. Ansd.

Petitioner's Exhibit 1048.

10537

G. No. 177.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 29th, 1908.

To the Parties:

Fighting opposition. (G. No. 167)

The Red Star Line write: (Translation)

"Our Newyork office write:

10538

"S.S. Vaderland sailed Saturday (June 13th) with 390 Third class. The Continental movement last week on the whole was comparatively light none of the steamers having large numbers, the majority evidently waiting for this week when the cut rates will be in effect."

"This confirms what Transat writes (G. No. 167) that the passengers wait for the cut-rate steamers to the prejudice of the steamers with regular rates. We don't want to blame anybody but it seems that the representatives in Newyork have not handled the matter in the right way, and not very judiciously. It seems to us that it was a blunder to fix the fighting steamers a whole month in advance. The agents evidently got information of it somehow and the passengers are now booked for the steamers with reduced rates. We are of opinion that the fighting steamers ought to have been fixed one by one and on shortest possible notice. As matter now stands the measure is hardly of any value.

10539

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 1 July. 1908. Ansd.

Petitioner's Exhibit 1049.

10540

G. No. 179.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 30th, 1908.

To the Parties:

10541

Compensation for fighting rates.

With reference to G. No. 117 the Hamburg-American Line inform me that as yet only 2 Lines have paid the amounts due. Will the Lines in delay please settle. If there should be anything to be adjusted with regard to the account this can be done later. The question of the rate of exchange for such bills I have noted for the next meeting.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 2 Jul. 1908. Ansd.

10542

Petitioner's Exhibit 1291.

10543

G. No. 180.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 1st, 1908.

To the Parties:

Definite print of the Agreements.

I herewith beg to send a number of copies of the London Agreements A.A., Z, X and H2. As one party did not find it convenient to have them bound all in one for the reason that it would be difficult to make additions I have got them printed each separately. Besides the amendments as submitted by circular letter G. 101, I have at the request of the Nordd. Lloyd inserted in Agreement A.A. Art 27, 4th line the words "up to date of such withdrawal" to which I trust there will be no objection. The percentages stated in Art. 3 are still subject to revision according to the final statistics of Mr. Sandford, which are not yet at hand.

10544

Agreement H2 provides the signature of the parties to it, I therefore would request to remit me a copy duly signed.

10545

Copies of Agreement V. & W. will be mailed shortly.

I further mail copies of the byelaws of the last meeting, which I got printed so far as they are still to be recorded.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Recd. 3 July. 1908. Ackd. Ansd.

10546

Petitioner's Exhibit 1292.*G. No. 181.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 1st, 1908.

To the Parties:

10547

Meeting, July 20th.

Lloyd request me to ask the Parties if it is desirable that Mr. Sandford should be present at the Meeting July 20th on Mediterranean business as proposed by himself. Will the Lines please let me have their view by wire.

I take this opportunity to ask the Lines if they agree, that I send a copy of the circular letters to Mr. Sandford. He writes:

10548

"Mr. Smyth has sent me a few of your circular letters to the Lines—for instance your letter dated Jena May 29, G. No. 115.

"It would help me very much were I to be favored with copies direct of such circular letters as are issued in future, in order to have a full comprehension of the progress of the business and development of all questions and settlements, and I should greatly appreciate it if I could be favored accordingly.

"In fact a number of times of late I have been asked questions as if I were in receipt of these circular letters."

Petitioner's Exhibit 1292

10549

He further wrote on April 10th:

"As soon as you are in a position to do so, it is presumed you will be good enough to send here for use, a few sets of the several London Arrangements. It has been the habit in the past, of the Lines needing copies of such arrangements from time to time to apply here for extra ones. As a matter of fact twelve sets will be very useful—they will probably supply all demands for at least a year to come."

I shall be pleased to hear if I may send the agreements of which he informed me he had already received proof copies through Mr. Smyth.

10550

Respectfully,

(Stamped): North Atlantic Passenger Conference.
Recd. 3 Jul. 1908. Ackd. Ansd.

10551

10552

Petitioner's Exhibit 1050.*G. No. 182.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 1st, 1908.

To the Parties:

Agreement V.

The Holland American Line write:

10553

"It has been overlooked to inform you of the existence of an agreement, which has been in force for a number of years, between the Dutch Government and our Line pertaining to the transportation of Dutch Government Officials returning from the Dutch West-Indies to Holland by way of New York.

"Such Officials as are designated by our Government to travel by this route, we have to carry in the first class of our steamers at a rate of florins 225. (£18.15.0) paid for by our Government.

10554

"Owing to the fact that it rarely happens that Government Officials returning from the Dutch West-Indies take this route, we are sorry to say that it has been overlooked to mention the existence of this agreement at the time when contracts of this kind were being tabled.

"As you will notice, the rate of £18.50.0, while covering our agreement rate for the steamers "Nieuw Amsterdam," "Noordam," "Rijndam," "Potsdam" and "Statendam," remains below the first cabin minimum agreed upon for the "Rotterdam."

"We shall try to have our agreement with the Government changed so as to conform to the cabin agreement."

Respectfully,

Defendants' Exhibit 44.

10555

*G. No. 183.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 1st, 1908.

To the Parties:

Russian Volunteer Fleet. (G. No. 93)

Lloyd send me the annexed report which they received from Petersburg on a subvention of 7,000,000 Roubles which the Russian Government has granted to the Volunteer Fleet with following comments: (Transl.)

10556

"This subvention seem to us very high as it amounts to nearly M 1,200,000 (£60,000) p. a. which is much more than is necessary for maintaining the comparatively small lines mentioned under 1 & 2 of the annex. It represents therefore a considerable capital which the R. V. F. receive each year and which occasionally may turn inconvenient in the North-atlantic trade."

Further Lloyd have got the following report from Libau:

10557

1) "The interruption in the regular sailings Libau-Newyork of the R. V. F. is only temporary; they will be taken up again in about 2 or 3 months.

2) "The Eastasiatic Co. sail a steamer regularly every fortnight. They have built a new steamer of 1800 steeragers capacity, making the trip in 12/13 days. The passenger department is now managed by Mr. Rosaler instead of Karlsberg.

10558

Defendant's Exhibit 44

3) "Karlsberg owns three new smaller steamers carrying 4/500 passengers, which sail every Saturday for Hull Liverpool or London (Note of Sec: This I think is a mistake).

10559

4) "Rosaler is only agent and gets only 5 Roubles p. passenger instead of 10 which Karlsberg got. The Nordish Steamship Co. which formerly was represented in Riga by Bielby has these last days been transferred to Riga. Last week the Nordish Steamship Co. had 25 passengers which they turned over to Karlsberg. They are not yet working openly up till now."

Lloyd in asking me to promulgate the above say that further news on the subvention of the R. V. F. will follow.

Respectfully,

Annex to G 183, 1/7.08

10560

"Seven Millions Roubles subvention of the Russian Government to the Volunteer Fleet."

(Preliminary Report)

On Saturday June 14/27 the Imperial Russian Duma discussed a motion of the Minister for Commerce and Industry on subventions for the Russian Volunteer Fleet.

The bill was pleaded by the Minister for Commerce Mr. Schipaw himself and was carried with 113 against 111 votes after passionate debating in which nearly all the parties were engaged and of which particularly the parties of the left opposed the subvention.

The main contents of the bill are:

The Russian Government grants the Russian Volunteer Fleet for the term of 11 years beginning with June 15th 1908 a subvention of 6,900,000 Roubles in toto viz:

for the year	1908	Rbl.	283,333
" " "	1909	"	800.000
" " "	1910	"	693.000
" " "	1911	"	672.000
" " "	1912	"	651.000
" " "	1913	"	630.000
" " "	1914	"	609.000
" " "	1915	"	588.000
" " "	1916	"	567.000
" " "	1917	"	546.000
" " "	1918	"	525.000
" " "	1919	"	340.067

10562

In consideration of these amounts the R. V. F. is bound to maintain the following services:

1) a Line between Wladiwostock and Tsuruga twice a week.

2) a weekly Line from Wladiwostock to Shanghai calling at Fusan and Nagasaki.

10563

3) The Lines of the Russian Volunteer Fleet must be under the Russian flag.

4) The steamers employed in these services must not be slower than 14 knots and need not steam more than 16 knots.

5) The Russian Volunteer Fleet has the right to build the 4 new steamers requisite for the new Lines on foreign shipyards.

Defendant's Exhibit 44

10564

A "Reuter" Telegram of 26th on this subject reads:

"The Duma today discussed the report of the Finance Committee on the Bill of the Minister of Commerce for the grant of a subsidy for the establishment of a temporary shipping service to be conducted by the Volunteer Fleet between Vladivostock and China or Korea and Japan.

10565

"M. Shipoff, in a long speech, pointed out the great importance of uniting the mainland with the sea as the centre and the focus of world policy, 'Unless we establish a line of steamers,' the Minister said, 'trade on the coast will be interrupted. Not in the interests of an aggressive policy, but in sheer self-defence, direct communication is necessary, not only with the Chinese ports as far as Shanghai, as the Budget Committee desires, but also as far as Tsuruga and on to Yokohama, because all places to the north of this line depend on Vladivostock.' After urging the necessity of establishing both shipping lines, M. Shipoff concluded: 'When I was in the Far East a short time ago I hoped that our grave position there would be improved by the efforts of the Duma. I should be sorry if my hopes were disappointed.

10566

"A division resulted in a majority in favour of the motion of the Finance Committee, which accepts the Minister's Bill in its entirety."

Defendant's Exhibit 45.

10567

*G. No. 184.***ATLANTIC CONFERENCE.**

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, July 2nd, 1908.

To the Parties:

Newyork uptown offices. (G. No. 166)

The Cie Gen. Transatlantique write:

"Nous avons bien reçu votre lettre circulaire No-166 et nous ne comprenons pas l'insistance de la Cunard à nous demander le retrait de l'autorisation que nous avons donnée aux Wagons-lits pour la vente de nos billets, d'autant plus qu'elle ne croit pas pouvoir prendre un engagement quelconque.

10568

"En prenant la Cie des wagons-lits comme agent, nous ne nous sommes pas réservé le monopole et toutes les lignes qui le désirent peuvent faire ce que nous avons fait nous-mêmes. Nous avons expliqué à Londres que nous ne voulions pas nous brouiller avec cette compagnie avec laquelle nous avons de nombreuses relations pour nos lignes de l'Algérie, et c'est à cause de cela que nous voulons lui maintenir notre représentation et nullement parce qu'elle nous donne beaucoup d'affaires. En effet, loin d'avoir un accroissement dans le nombre de nos passagers, nous avons une énorme diminution puisque l'ensemble des passagers de 1^{re} au départ de New York, a baissé de 8%, tandis que la baisse sur notre propre ligne est de 20%.

10569

"Nous pourrions, si la Cunard le croit bon, traiter à nouveau cette question lors de la prochaine conférence."

Respectfully,

(Stamped): North Atlantic Passenger Conference
Recd, 4 Jul 1908. Ackd. Ansd.

Petitioner's Exhibit 1051.

10570

G. No. 185.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, July 2nd, 1908.

To the Parties:

10571

Russian Steamers. (G. No. 156.)

S.S. "Cherson" of the Russian Volunteer Fleet which sailed from New York June 17th arrived at Rotterdam June 28th with 850 steeragers; she landed 750 and proceeded for Libau June 30th.

Stamped: Ismay, Imrie & Co. Passenger Dept.
Recd. 3 Jul. 1908. Ansd.

10572

Petitioner's Exhibit 1052.

10573

G. No. 186.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 3rd, 1908.

To the Parties:

Mediterranean business; proposed Meeting
(G. No. 181)

10574

From G. No. 165 the Parties know that the Italian Lines wished that the Prince Line be not invited to attend the proposed meeting. The White Star Line however considered it desirable that they should be represented for the following reason:

"Although it is quite true they have no license from the Italian Government for the westbound business, and their service is temporarily suspended, they can be a very disturbing factor Eastbound, and that is the business the meeting has primarily to consider."

10575

I wrote Mr. Crespi to that effect and received yesterday his wire:

"If other Lines wish intervention Prince Line we have not difficulty. Stop. I beg you wire me if Conference shall be 20 July and where because I have to set engagements with other Conferences."

So far the following Lines have agreed to attend the meeting:

Petitioner's Exhibit 1052

10576

Hamburg-American Line
 Holland American Line
 Norddeutscher Lloyd
 Red Star Line
 Cie. Gen. Transatlantique
 Austro-Americana
 Anchor Line
 Cunard Line
 White Star Line

which latter I have asked if they will also represent the American & Dominion Lines.

10577

Allan Line did not think their attendance necessary as they are only very indirectly interested in the Italian business, and Canadian Pacific did not see the necessity of their being represented. To both of them I have written, that very likely other points but Italian business will spring up at the meeting, and I hope they will consider it as their non-presence might block decisions.

From the Fabre Line I received to day the following reply to a special letter I had written them:

10578

"Nous avons eu l'honneur de recevoir votre lettre du 26 Juin, par laquelle vous nous demandez si nous pourrions assister à un meeting à Lucerne le 20 Juillet.

"Nous regrettons de vous informer, que nous ne saurions nous rendre à un meeting à cette date, ayant déjà disposé du mois de Juillet pour des congés qui ne peuvent plus être modifiés. Si vous combiniez une réunion du 10 au 15 Aout, nous pourrions arranger nos mouvements de manière à y assister.

"Nous devons néanmoins vous exprimer notre défaut absolu de confiance dans les résultats d'un meeting en ce moment. Après

la brusque rupture des accords à New-York, tant par les Compagnies Italiennes que par les Compagnies Allemandes, à un moment où il était tout indiqué de rester d'accord et de patienter, nous ne pouvons croire à une reprise des pourparlers qu'après que chacun sera las de jeter son argent à pleines mains dans l'Océan et pour espérer une entente, il ne faudrait pas voir Mr. Crespi refuser toute hausse provisoire dans les taux de retour, ni la White Star s'attribuer le monopole de Boston, ni les Compagnies Allemandes s'arroger celui des Continentaux.—Il nous paraît superflu de se déranger pour se réunir, si dès les premières paroles échangées, tout doit être rompu sans espoir, et si l'on doit se séparer avec plus d'aigreur qu'on n'en avait auparavant.

10580

"Nous restons d'ailleurs toujours convaincus, qu'une poule équitable sera impossible au départ d'Europe, avec tant de Compagnies et de services différents; c'est chose du reste inutile, du moment que les prix sont fixés par le Gouvernement Italien. Quant aux East-bounds et aux Prepaids, nos agences de New-York sont mieux placées que nous, pour en discuter et pour s'entendre."

10581

Not being aware of what importance the presence of the Fabre Line at a meeting on Mediterranean business is, I wired to-day to the Parties directly interested that Fabre Line was prevented from attending, absolutely no confidence in results and if they consider their presence necessary.

As to Mr. Sandford's coming over there are up till now only the following telegrams:

10582

Petitioner's Exhibit 1052

Anchor: 27/6. 2:21 P. M.

"Provided meeting Mediterranean Conference definitely arranged 20 July we consider it advisable and suggest Secretary Sandford Newyork attend. He is thoroughly conversant whole situation and with all interests and his information would be of value to all concerned."

Americano:

10583

"Agree Sandford being invited attend meeting July twentieth."

Respectfully,

H. PETERS.

10584

Petitioner's Exhibit 1053.

10585

G. No. 187.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 3rd, 1908.

To the Parties:

Newyork & Continental Line.

10586

Yesterday the Holland American Line wired that since the last westbound sailing of the Newyork & Continental Line on May 30th there had arrived at Rotterdam 135 passengers appointed to sail by "Volturno" June 27th. This steamer however, is still under repairs in Hamburg whilst "Avoca" is still under embargo at Rotterdam. It being possible that the Newyork & Continental Line might try to dispose of their passengers via England Nasm asked me to inform the Parties, so as to prevent that conference agents book these passengers for a conference line, which I did.

10587

I may mention that the Newyork & Continental Line occasionally also gets passengers from England. The "Jelunga" May 30th got 19 and the same steamer on April 10th the same number. The passengers were Hebrews. Maybe they were booked in London by somebody who is under no control.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.

Recd. 6-Jul 1908 Ansd.

10588

Petitioner's Exhibit 1054.*G. No. 188.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 3rd, 1908.

To the Parties:

10589

Fighting Opposition. (G. No. 177)

Lloyd wanting to know which steamers are appointed for July to fight outsiders I cabled and got the following reply:

"No opposition prior July 18th probable Volturmo July 18, possible Estonia July 22nd. Subsequent departures uncertain. Competition July 18th Zeeland, excess California, St. Louis, but unannounced until July 8th; undesirable sooner."

10590

It is to be hoped that the delay in advertising the fighting steamer will have the effect to increase the number of passengers at regular rates for the other steamers.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 6-Jul. 1908 Ansd.

Petitioner's Exhibit 1055.

10591

G. No. 189.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, July 4th, 1908.

To the Parties:

Russian Steamers.

10592

"Estonia" of the Russasiatic sailed June 29th from
Libau via Rotterdam with 625 passengers amongst
which were 18 second class passengers.

10593

10594

Petitioner's Exhibit 1293.*G. No. 190.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 7th, 1908.

To the Parties:

10595

Proposed Meeting.

I informed the Lines specially interested in Mediterranean business that the Fabre Line was prevented from attending the proposed meeting to which the majority and Mr. Crespi replied, that under these circumstances they considered the meeting to no purpose. I then asked them to reconsider the position taken in their letter (G. No. 186) to which I got their reply:

"..... Nous vous remercions de votre communication et tâcherons de nous y rendre"

10596

Mr. Tattet had also communicated with them and received a letter saying that they probably will attend. Neither of their replies being positive and thinking Lines might not care to go to Lucerne unless they are sure that the Fabre Line will be represented I have once more wired them and will communicate their answer as soon as received.

The presence of Mr. Sandford at the meeting being considered useful by several of the Lines I shall cable him as soon as definite.

The Canadian Pacific & the Allan Line have not yet positively said that they will attend, but make it de-

Petitioner's Exhibit 1293

10597

pendent on the agenda, which I therefore enclose herewith, at the same time asking the parties, to inform me, of any other matters they may wish to have added to it.

Hapag write me, if any Party should be prevented from attending they might authorize Mr. Ballin or some other member to vote for them. It would be absolutely necessary that the meeting be effective and conclusive and that the Parties be represented in such a way as to avoid any Party having to wire to the home office for instructions. The last meeting in London in this respect had not been what it ought to have been. Hapag therefore want to know, by which gentlemen, each Line will be represented at the meeting, and I shall be pleased if the Lines will inform me. For the I. M. M. Co. Mr. Ismay and Mr. Sanderson will be present.

10598

Mr. Crespi having withdrawn his objection to the Prince Line being invited I shall inform them unless objected to by wire by any party not later than 10th instant.

As to the Campagnia Transatlantica (Spanish Line) I have as yet not been in any communication with them and I beg to ask for instruction if they are to be invited too.

10599

Respectfully,

(Stamped): North Atlantic Passenger Conference
Recd. 9 Jul. 1908. Ackd. Ansd.

10600

Petitioner's Exhibit 1293

AGENDA

to the proposed Meeting at Lucerne.

- 1) Negotiations with Italian Lines.
- 2) Compensation in Mediterranean eastbound business. (G. No. 142 & 160)
- 3) Promissory notes.
- 4) Rate of exchange for compensation amounts for fighting rates. (G. 179)
- 10601 5) Reduction of expenses for advertisements.
- 6) Free transportation from Quebec to Montreal.
- 7) Transat & Sleeping Car Co. (G. No. 184)
- 8) Headtax quoted separately.
- 9) American Transportation Co. Disqualification.
- 10) Karlsberg, Spiro & Co., Libau.
- 11) British Lines passengers via Controlstations.
- 12) Agreements and circulars for Mr. Sandford.
- 13) Negotiations with Russian Eastasiatic Co.
10602 (Eventually)

Jena, July 7th, 1908.

Defendants' Exhibit 46.

10603

G. No. 191.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 7th, 1908.

To the Parties:

Karlsberg, Spiro & Co. (G. No. 183)

10604

The White Star Line write:

"Referring to your G. 183.

"With regard to paragraph 3, we understand
 that Karlsberg does not own the vessels re-
 ferred to but merely acts as agents for 'Det
 Forenede Dampskibs-Selskab.' "

Agreement A.A.

Page 6 last line. Please correct in your copies: 10605
 "33" instead "28."

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 9-Jul. 1908 Ansd.

10606

Petitioner's Exhibit 1056.*G. No. 192.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 7th, 1908.

To the Parties:

Competition steamers against "Russia" June 24th.

The Holland America Line write:

10607

"Our New York Office writes us under date of June 26th as follows:

"Our steamer 'Noordam' left last Wednesday with 1120 third class passengers, she having been selected as stated to you in previous correspondence, as a competing steamer with S. S. 'Russia' of the Russian East Asiatic Company.

10608

"S. S. 'Russia' itself left with a total of 900 steerage passengers, of which 200 were accommodated at a \$4 higher rate in the so-called improved steerage or third class. We are convinced that if our S. S. 'Noordam' should not have had a competitive rate, the number of passengers on the 'Russia' would have been nearly doubled, as extraordinary attention was given by the firm of A. E. Johnson & Co., through advertisements, extra commission, etc. to have a good showing for the first departure from here.

"The new steamer 'Prinz Friedrich Wilhelm' left yesterday with 1729 third class passengers, also against S. S. 'Russia.'"

The capacity of the "Russia" is stated differently G. No. 93 says 264 third class & 1400 steerage, whilst according to G. No. 183 it is 1800 steerage.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 9 Jul. 1908. Ansd.

Petitioner's Exhibit 1294.

10609

*G. No. 193.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 9th, 1908.

To the Parties:

Monthly Statements for June. (G. No. 140)

10610

To-day I send the Monthly Statements for the month of June. In conformity with the Summary, I have to request for the following payments being made:

Allan Line	to	Can. Pac. Ry. Co.	£ 257.—
" "	"	Anchor Line	" 392.—
" "	"	Donaldson Line	" 60.—
Dominion Line	"	American Line	" 80.—
" "	"	Can. Pac. Ry. Co.	" 867.—
White Star Line	"	Continental Lines	" 3135.—
" " "	"	Anchor Line	" 2050.—
Cunard Line	"	American Line	" 6632.—

10611

The White Star Line for their payment to the Continental Lines will please send their check to me.

The Parties will please inform me when the payments have been made or received.

Respectfully,

(Stamped): North Atlantic Passenger Conference
 Recd. 11 Jul. 1908 Ackd. Ansd.

10612

Petitioner's Exhibit 1057.*G. No. 194.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 10th, 1908.

To the Parties:

10613

Russian Steamers.

S. S. "Russia" of the Russasiatic which left New York Wednesday June 24th, arrived at Rotterdam July 4th with 40 first class, 60 second class passengers and 900 steerage passengers including 200 passengers of improved steerage.—She landed her cabin passengers & 600 steeragers and proceeded July 7th for Libau.

10614

S. S. "Estonia" of the Russasiatic which sailed from Libau June 29th, arrived at Rotterdam July 3rd with 579 steeragers (G. No. 189: 607 steeragers), she embarked there 70 passengers more and proceeded July 4th for New York.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 13 Jul. 1908 Ansd.

Petitioner's Exhibit 1058.

10615

G. No. 195.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 10th, 1908.

To the Parties:

*Arbitration of Compensation for passengers carried
 at fighting rates. (G. No. 151)* 10616

On this point I received the following letter from
 Mr. Ismay:

"Referring to your letter of the 17th, ulto.,
 I have given careful consideration to the claims
 for compensation put forward by the Holland-
 America and White Star Lines for passengers
 carried by their steamers, which were over-
 booked for the 'Pretoria' and 'Barbarossa,'
 and find, in reply to

"*Question A:* That the steamers 'Noordam'
 and 'Baltic' are entitled to compensation;

10617

"*Question B:* That the steamers 'Noordam'
 and 'Baltic' are entitled to receive the same
 amount of compensation per head as was paid
 to the 'Pretoria,' and that the first-named
 steamer is entitled to receive the difference be-
 tween the inland fare from Rotterdam and the
 inland fare from Hamburg, and also the inland
 fares in respect of 19 passengers holding Ham-
 burg Packet Company's tickets to Hamburg,
 amounting, in all, to \$518.76;

10618

Petitioner's Exhibit 1058

"Question C: That the compensation should be paid by the Pool Lines in the same proportions as their percentages of the Eastbound Pool.

"In regard to the claim put forward by the Holland-America Line in connection with the 'Potsdam,' for payment in respect of the passengers carried by that steamer, which were over-booked for the 'Barbarossa,' I find that the 'Potsdam' is entitled to receive the same compensation as was paid to the 'Barbarossa.'

10619

"Perhaps you will kindly communicate this decision to the parties interested."

I shall cause the resp. accounts to be settled as soon as the question of the rate of exchange is agreed upon.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 13 Jul. 1908. Ansd.

10620

Petitioner's Exhibit 1059.

10621

G. No. 196.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 10th, 1908.

To the Parties:

Proposed Meeting. (G. No. 190)

I am sorry to say there is nothing definite yet. The meeting was dependent on the Fabre Line attending. On 8th, morning I received their telegram saying:

10622

"Nothing inforeseen happening reckon to be Lucerne twentieth."

I passed this on to the Parties and also to Mr. Crespi asking if this was satisfactory. Mr. Crespi's reply was:

"Thanking for your communication about Fabre reply I regret to inform you that owing to their uncertain presence some of Italian Lines had to settle other engagements, so that date meeting shall very probably be deferred."

I then wired him:

10623

"Deferring meeting now would, I believe, seriously endanger the chances of bringing it together in near time."

and got his reply of 8th:

"Am doing my best to avoid deferring meeting. Will wire as soon as possible."

This is the last I have, up till now, heard from him. It is to no purpose to invite Mr. Sandford to come over whilst the meeting itself is still uncertain.

Petitioner's Exhibit 1059

10624

As to the attendance of the Trasatlantica the Anchor Line consider necessary to invite them as they are members of the Newyork Italian Conference. Hapag have understood that Mr. Crespi would invite them and I shall make sure if he has done so.

On the part of the Norddeutscher Lloyd there will be present at the meeting the following gentlemen:

Director General Dr. Wiegand,

Director Heineken,

Prok. v. Plettenberg,

Mr. Seyde,

10625

Mr. Gustav H. Schwab of Newyork.

I am waiting for the names of the representatives of the other Lines.

The Canadian Pacific have informed me that they will be represented, and I hope the Allan Line will find the meeting of sufficient importance to make it worth their while to be present too. At any rate, as one can not foresee which turn the proceedings may take, it will be necessary that they authorize some other party to vote for them and the same applies also to the Donaldson Line.

10626

If after all I get news from Mr. Crespi that the meeting has been agreed to by the Italian Lines I shall at once wire. In the meantime, I am looking out for a suitable Hotel, which I shall state. As soon as everything is fixed, I would advise the gentlemen, who will attend the meeting, to secure their rooms, as it is now the height of the season.

Respectfully,

Telegram from Mr. Crespi:

"As I foresaw Lloyd Sabaudo already otherwise engaged. They are trying to get rid of such engagement reserving to give definite answer Monday next."

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 13 Jul. 1908 Ansd.

Petitioner's Exhibit 1060.

10627

G. No. 197.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 10th, 1908.

To the Parties:

New York & Continental Line.

The Holland America Line inform me that S. S. "Jelunga" which sailed from New York June 20th (G. No. 170) arrived at Rotterdam July 2nd with 250 steeragers which she disembarked. On July 3d the steamer also discharged her cargo destined for Hamburg.

10628

The 135 passengers on which the Holland Line reported in G. No. 187 were in the meantime increased by 165 passengers thus making a total of 300 passengers, of which 123 are in destination for Halifax and the rest for New York. They were forwarded by the "Jelunga" on 4th inst. (which had arrived two days previous from New York) after she had shipped the cargo which the agents of the New York & Continental Line had gathered in the last months. When leaving she was arrested on account of unpaid stevedore's bill, but after an hour she was released.

10629

It is rumoured that S. S. "Volturno," which is still in Hamburg under repairs shall come to Rotterdam to carry the cargo discharged there ex "Jelunga" to Hamburg.

Respectfully,

H. PETERS.

N. B. Change in rates.

Lloyd reduce westbound Express steamers to
 160 Marks.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 13 Jul. 1908 Ansd.

10630

Petitioner's Exhibit 1061.*G. No. 198.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 13th, 1908.

To the Parties:

10631

Meeting; agenda

Article 3 of Agreement AA provides that the figures of the percentages have to be checked. This was considered necessary because the statistics on which the percentages in Art. 3 are based were then still subject to amendment for 1907. In the meantime the Lines will have received Mr. Sandfords corrected Annual Report for 1907 and the percentages can now be settled definitely. I shall add this to the agenda.

10632

With reference to the Agents reported by the Lines as receiving more than 5% commission on first class business the opinion is expressed that several of them are to be considered as tourist offices or bankers who must not get more than 5%. As such are mentioned f. i. Pitt & Scott, American Exchange Co. Rome, French Lemon & Co., Florence, Schenker, Schottenfels, Riesels, etc. Lloyd wants me to inform the lines, in order to prevent misconceptions that most of the agents in his statement get 7 1/2% on bookings through sub-agent only to whom the General Agent has to pay commission. Except this the maximum commission generally is 5% and the number of agents getting more than 5% to themselves is comparatively small.

This commission question I shall note also for discussion at the meeting.

The Anchor Line write:

"If any proposals or tentative agreements are now being drawn up for submission to the parties that assemble at Lucerne that these should be submitted to the Contract Lines running a direct service between Newyork and Italy for their consideration prior to the General Meeting."

If any Line has to offer anything in this direction I shall be glad to submit it to the Parties for their information.

Opinions differing whether Agreements, Circulars, etc., are to be sent to Mr. Sandford to Newyork as requested by him I consider it proper to also submit this matter for verbal exchange of views at the meeting.

Respectfully

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 15 Jul 1908. Ansd.

10634

10635

10636

Petitioner's Exhibit 1062.*G. No. 199.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 14th, 1908.

To the Parties:

Proposed Meeting.

10637

In pursuance of G. No. 196 I am sorry that instead of a definite reply from Mr. Crespi if Lloyd Sabaudo will attend the meeting I received this morning from him the following message, sent yesterday night:

"Lloyd Sabaudo cannot decide to-day about possibility to be disengaged. Will definitely wire to-morrow."

In the meantime I had received yesterday night the following telegram from the Cunard Line:

10638

"Referring your circular letter 10th instant G. 196 we are sorry to observe that proposed meeting at Lucerne 20th instant has not yet been definitely fixed in view of this uncertainty we feel it incumbent upon us to say that unless we hear to-day that meeting will actually take place and that all lines interested will be represented we shall be forced make arrangements which will prevent our attending the Meeting,"

which I immediately passed on to Mr. Crespi at the same time wiring the Cunard Line, if they could not postpone their arrangements until I could to-day have received Mr. Crespi's answer to their telegram.

As a convenient Hotel may be considered "Hotel Schweizerhoff." But—considering the number of representatives of the Lines, which apparently will be over 40, the Hotel will have no proper room to accommodate the Meeting and I have therefore prepared to eventually secure the Assembly room of the Board of the Gotthard R. R. which is 2 minutes' walk from the Hotel.

As some of the gentlemen who will attend have informed me, that they will not arrive but Monday morning at 9 o'clock I propose that the Meeting begin at 10 1/2.

The Cunard Line will be represented by Mr. William Watson, Mr. A. A. Booth and Mr. A. D. Mearns, the White Star Line by Mr. J. Bruce Ismay, Mr. Harold Sanderson, Mr. A. B. Cauty & Mr. Cruse.

Respectfully,

H. PETERS.

N. B. Hapag will be represented by Director A. Storm, Director Ecker, Dr. Murken, Mr. Lederer of Newyork and Mr. Neumann.

10640

I received this afternoon the following telegram from the Cunard Line:

"Telegrams received. As attendance several Lines still quite indefinite regret cannot now arrange to attend meeting Lucerne."

which I have passed on to the Lines interested.

The meeting at Lucerne I think must be considered as dropped.

(Stamped): Ismay, Imrie & Co Passenger Dept.
Recd. 16 Jul. 1908. Ansd.

10641

10642

Petitioner's Exhibit 1063.*G. No. 200.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 14th, 1908.

To the Parties:

10643

Newyork Uptown Offices.

I beg to promulgate the following letter from the
 Cunard Lines:

"Referring to your G. 184 of the 2nd instant
 with letter from the Compagnie Generale
 Transatlantique, we notice that the last para-
 graph intimates that 'should the Cunard desire
 it, we could open this matter at the next Con-
 ference.' We would point out, however, that
 it was decided at the London Meeting in Feb-
 ruary that the question of Uptown Offices was
 to be brought up at the December Meeting,
 whether any Line specially desired to do so or
 not."

10644

Respectfully,

(Stamped): Ismay, Imrie & Co Passenger Dept.
 Recd. 16 Jul. 1908. Ansd.

Petitioner's Exhibit 1064.

10645

G. No. 201.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 16th, 1908.

To the Parties:

Proposed Meeting (G. No. 199).

On Tuesday 14th 9 p. m. I received the following
 "urgent" telegram from Mr. Crespi from Genoa:

"Lloyd Sabaudo disengaged. Will participate conference. Beg wire me Rome where conference will take place London or Lucerne."

10646

which I transmitted to the Cunard Line forthwith asking them if this could change their mind.

It strikes me that Mr. Crespi asks where the meeting is to take place, as to my knowledge there has never been a mention of London in connection with this meeting.

On Wednesday 15th the Cunard Line wired:

"Replying telegram giving copy communication from Crespi too late now alter our arrangements and regret cannot attend meeting."

10647

thus confirming what they had already declared on Monday and Tuesday.

Simultaneously with this telegram I received another one from the White Star Line:

"As Cunard unable attend see no object having meeting Lucerne twentieth and we do not propose to be present."

Yesterday night I received the following telegram from Mr. Smyth:

10648

Petitioner's Exhibit 1064

"Allans advise Mr. Henry Allan away sorry will not be represented Lucerne meeting. They must not be committed to resolutions."

In the meantime I had telegraphed to the Cunard Line if they could attend a meeting in London on July 20th I would try to arrange it and at the same time ask Mr. Crespi & Fabre if July 20th, London would suit them.

From the Cunard Line I received this morning the following wire:

10649

"Replying further telegram regret could not attend meeting in London 20th as we have made arrangements which we cannot alter now but would be prepared to attend meeting in London on Wednesday 22nd after one p. m."

Mr. Crespi replies:

"Would attend meeting London twentieth or later within July."

10650

I have now to find out if the other parties are agreeable to a meeting in London on 22nd but I think it impossible to get through with the negotiations in an afternoon's time and so I take it that the representatives of the Lines would be prepared to stay in London longer, than 22nd only.

As to the Spanish Line the Anchor Line and the French Line consider their presence necessary whilst others think that if necessary it can be dispensed with Mr. Crespi to whom I had applied wires:

"No advance made with Spanish Line whose intervention conference although could not be assured I consider will not compromise meeting Lucerne."

which means probably that he does not consider their presence indispensable.

Respectfully,

Petitioner's Exhibit 1064

10651

I informed all the Lines of the following telegram from Lloyd Bremen:

"Consider Lucerne meeting definitely dropped. We on our part could not attend a meeting at London."

to which I added the question if any of the Lines had to make a proposal. If the matter is not taken up again by some party or the other I consider a meeting for the next time abandoned.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 18 Jul 1908. Ansd.

10652

10653

10654

Petitioner's Exhibit 1065.*G. No. 202.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 17th, 1908.

To the Parties:

10655

How much or little hope the Lines may have had that at the proposed meeting an arrangement would be arrived at between the Lines interested in Mediterranean business and thereby an end of the interference of Italian Lines with continental eastbound business, still I believe most of them will be sorry that the meeting has been frustrated. Blame for that, it seems to me, has to be attached to the Lloyd Sabauda, who before entering engagements that might possibly prevent them from attending the meeting ought to have asked for a *definite* reply from the Fabre Line.

However that be, there being no meeting in view for the present, I have to take several pending matters, reserved for a meeting, in hand again by correspondence.

(1) *Rate of exchange for compensation for fighting rates.*

10656

I write to-day to Mr. Smyth.

(2) *Promissory Notes.*

There is still the question of the stamp duty on the notes, to what amount it is required in order to make the note legally valid. Most of the notes have a mere nominal stamp; British Lines 1 penny; Norddeutscher Lloyd 6d etc., whilst, Anchor Line, Holland America Line, Red Star Line have paid much higher duty. I think it would be in the interest of each line to get satisfaction, that the notes issued by the other Lines are what they are intended to be, a security for the

Petitioner's Exhibit 1065

10657

faithful performance of the conditions of the Agreement (Art. 17).

As to the contents of the notes it is the same wording in all of them except that the German Lines have translated it in German (to which I suppose there is no objection), and the Red Star Line has written by mistake my name "Heinrich" instead of "Hinrich" which they think makes no difference. The amounts of all the notes are correct.

The Canadian Pacific wrote me through Mr. Baker:

"I duly advised Montreal of the Conference requirements in this connection and am in receipt of a letter from our Third Vice-President in which he states that it is contrary to our rules to sign a Promissory note in the manner suggested, but asks me to say to you that the Company would be willing in place of this to give a guarantee signed by the Bank of Montreal, London, for the amount of our engagement."

10658

Article 17 not providing that the note must be signed by the Lines themselves I think, a note of the same contents, as agreed upon, signed by the Bank of Montreal, would just as well answer the purpose.

As to the question if security should be given under agreement Z the Parties are not unanimous. The majority being of the opinion that Agreement Z not containing anything in this respect the deposit is only applicable to obligations arising out of Agreement A. A. and has therefore to be limited to the extent of a Line's participation in this Agreement. I shall act accordingly.

10659

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 20 Jul 1908 Ansd.

10660

Petitioner's Exhibit 1066.*G. No. 203.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 17th, 1908.

To the Parties:

Fighting Steamers.

The following cable is received from Newyork:

10661

"Vulturno July 18th dropped. Estonia fixed
 July 22. Competition 'Bremen,' excess 'Ara-
 bic.' "

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 20 Jul 1908 Ansd.

Petitioner's Exhibit 1067.*G. No. 204.*

10662

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 17th, 1908.

To the Parties:

Russian Steamers (G. No. 194).

S. S. "Rossia" left Libau July 13th for New York
 via Rotterdam with 451 souls including 30 cabin pas-
 sengers.

Petitioner's Exhibit 1068.

10663

G. No. 205.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 18th, 1908.

To the Parties:

In a Hamburg paper of 16th inst there is the following advertisement:

Italian Steamship Co.

with regular Express steamer Lines to Newyork and
 Buenos Ayres, Capital 30 Millions

10664

wants representation for Germany, Russia and Eastern
 Europe.

Offers only of existing firms & shipbrokers will be contemplated.

Offers under W. 198 to the office of the paper.

An Italian paper reported several days ago, that the representatives of the great Italian S. S. Lines have unanimously decided to start special Lines between Italian and North European ports in order to meet the competition of foreign Steamship Lines in Italy. This is not very clear. Perhaps it refers to a former report that the Italian Lines intended to start a competition Line between Continental and U. S. ports, and that they were going to ask for a license to carry emigrants on this route.

10665

Whatever may be at the bottom of these news I think it may be taken for granted; that none of the Parties to the Agreement A. A. would allow their agents, representatives etc. to take any interest in an Italian Line from the Continent to U. S. ports if it should be contemplated.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 20 Jul 1908. Ansd.

10666

Petitioner's Exhibit 1069.*G. No. 206.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 18th, 1908.

To the Parties:

Continental Eastbound Passengers by Italian Lines.

The following is a statement of Continental east-bound steeragers carried by Italian Lines.

10667

Anconia	23.	April	469
Florida	25.	"	275
Nordamerica	29.	"	258
Principe di Piemonte	30.	"	390
Campania	2.	Mai	510
Luisiana	13.	"	1043
San Giovanni	14.	"	550
Duca degli Abruzzi	16.	"	548
Brasile	20.	"	408
Regina d'Italia	23.	"	458
San Giorgio	28.	"	348
Liguria	3.	Juni	847
Principe di Udine	6.	"	212
Ancona	10.	"	807
Nordamerica	13.	"	420
Florida	17.	"	435
San Giovanni	20.	"	174
Brasile	27.	"	443
Duca degli Abruzzi	1.	Juli	454
Verona	4.	"	685

10668

 9734

Petitioner's Exhibit 1070

10669

During the same period the Continental Lines carried 44235 eastbound steeragers. The Italian Lines thus carried 18% of the eastbound continental steerage traffic, leaving outside the Continental eastbound steeragers by British Lines which I estimate at something near 8000. Considering that of the 44235 steeragers by Continental Lines about 15000 were carried at fighting rates one may be disposed to ask if it would not have been more profitable to have made the fight sharper or since the past is gone if it would not be good policy to do so still now.

Respectfully,

H. PETERS.

10670

(Stamped) Ismay, Imrie & Co. Passenger Dept.
Resd. 20 Jul. 1908. Ansd.

Petitioner's Exhibit 1070.

G. No. 207.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

10671

Jena, July 20th, 1908.

To the Parties:

Russian Steamers (G. No. 204).

S. S. "Rossia" which as reported in G. No. 204 left Libau July 13th with 421 steeragers & 30 cabin passengers arrived at Rotterdam July 17th, she embarked there 55 steeragers and proceeded July 18th.

10672

Petitioner's Exhibit 1071.*G. No. 208.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 20th, 1908.

To the Parties:

The Cie. Gen. Transatlantique write me the following letter (Transl.):

10673

"We received your telegram informing us that the meeting at Lucerne will not take place.

"We have no proposal to make and don't think that another meeting should emanate from the Continental Lines. You probably know that the Italian Lines are in disfavour with the Government because they have jointly refused to partake in the adjudication (prendre part a l'adjudication) of the subsidized Lines. It seems they have managed to get introduced into the contracts (cahier descharges) very onerous conditions so that they may say, if they decline to effectuate the services, this is on account of the imposed charges.

10674

"Enclosed we send you an article from the Italian paper 'Il Messagero' showing the war-like ideas of the Italian Companies and their intentions to go to the Northern ports and which speaks about the crisis, the British and German Lines are suffering from. But they carefully avoid to mention that their own situation can not be splendid."

The Article from the "Messagero" begins with that part which is already mentioned in *G. No. 205* and then goes on that the national lines have the best material

Petitioner's Exhibit 1071

10675

at their disposal in the fight, but that they are handicapped in the North American trade, by the greater distance which causes their trips to be two days longer than those of the French, British and German Lines. Nevertheless the great Companies in the last four years have built in Italy and to a small part bought in foreign countries, 35 big steamers which, though not of the great tonnage of some of the German and British Lines, are of the most modern type with regard to safety, health and comfort of emigrants. It is then said, that these 35 steamers of about 240,000 Tons are a valuable addition to the Italian navy as transports, able to carry 70,000 men or as auxiliary cruisers, that Italian shipowners have invested in the last four years about 140 Millions Lire in the American Lines and that no other industry has shown so much vitality and so much zeal as navigation.

10676

Then the article proceeds to the crisis which on the other hand the British and German S. S. Co.'s are in, in consequence of the diminished emigration and also of cargo to such extent that the White Star Line had to withdraw from their Newyork Line 5 great steamers, that the Dominion Line had to drop the greater part of their services, and that all the other Lines were in similar positions.

Drawing to the close the article serves the rumors, spread in a good many papers about the German Lines wanting money and being on the lookout for state aid in the form of capital at a cheap rate of interest, same as in England.

10677

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 22 Jul 1908 Ansd.

10678

Petitioner's Exhibit 1072.*G. No. 209.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 21st, 1908.

To the Parties:

Continental eastbound passengers by Italian Lines.
 (G. No. 206.)

10679

Will the Lines please make the following corrections
 in the statement in G. No. 206 in accordance with sta-
 tistics received lately from Mr. Sandford:

Re d'Italia	April 9th	220	
Florida	" 25th	241	instead 275
Principe di Piemonte	" 30th	180	" 390
Verona	July 6th	714	" 685

and further add

San Georgio	July 7th	320
-------------	----------	-----

10680

which corrections and additions bring the total of
 Continental steeragers carried by Italian Lines from
 April 9th to July 7th up to 10059.

Fighting Steamers (G. No. 203).

In opposition to "Jelunga" July 28th S. S. "Noor-
 dam" has been appointed as fighting steamer.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 23 Jul. 1908. Ansd.

Defendants' Exhibit 47.

10681

G. No. 210.

2

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 21st, 1908.

To the Parties:

British Lines' Passengers at Controlstations.

The Hamburg American Line write:

"In accordance with No. 17 of the Byelaws to Agreement A. A. the German Lines have used their influence with the German Government on behalf of the British Parties. In fact several conferences have taken place in the ministries, partly in the presence of representatives of the German Steamship Companies, in order to discuss the subject. A few days ago, however, the German Companies were informed that the matter could not be settled simply by the executive. A number of legal and formal considerations make it necessary to appeal to the Federal Council of the German Empire and this will be done shortly. Although the Government attaches some importance to the question, the representatives of the German Lines have gained the impression that the matter in itself may be considered to be in a favorable position."

10682

10683

Respect fully,

(Stamped): North Atlantic Passenger Conference.

Received 23/7, 1908. Ackn'd.1908.

Answered1908.

10684

Petitioner's Exhibit 1073.*G. No. 211.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 22nd, 1908.

To the Parties:

10685 On July 18th I received the following telegram from
 Mr. Smyth:

"White Star advanced third class rate east-bound British Scandinavian two dollars, Continental four dollars for Newyork Liverpool service only."

to which I replied the same day:

"White Star being short what is the object in advancing rates?"

Mr. Smyth answered:

10686 "White Star say as apparently impracticable adjust westbound pool are checking numbers eastbound to balance."

The measure taken by the White Star Line is, I think, not in keeping with the contract, Article 9 stipulates:

" 'Each Line undertakes to arrange its services in such a manner that the number of steeragers which it actually carries corresponds as nearly as possible with the number allotted to it by this contract.' "

Now there is not *one* number allotted to each line but *two* numbers have been allotted to most of the lines. The one results from their participation in the westbound pool, and the other in the eastbound pool. Both pools differ in the total of passengers carried and in the percental participation of each line in it. The contract refers to two pools and to either of them refers Art. 9. If it was otherwise and if a shortage in one of them could be balanced by an excess in the other that would wholly upset the fundamental principles of the pool, make a satisfactory working impossible and frustrate its object. Needless to give examples.

10688

If the measure of the White Star Line and the reasons given for it, is admitted as correct in principle, the consequence is, that similar measures can not only be adopted voluntarily by a Line, but that they eventually can or must be made compulsory.

Apart from this it must be considered, that the Lines being members to only one of the pools would not be in the same position as the rest of them.

Article 23 says that the execution and the control of the fulfilment of the stipulations of the contract is confided firstly to the Secretary, and under the same article it is my duty, "to control the steerage prices in accordance with article 11" and it is for these reasons that I have taken the matter up in this form.

10689

Now, any action of a Line, however contrary it may be to letter or spirit of the Contract, can be sanctioned subsequently by unanimous consent of the Lines and I therefore beg to ask the Parties:

1) if they in this present particular case will agree to the measure adopted by the White Star Line or

2) If they will agree to the principle being adopted generally that each Line may balance its position in both pools.

10690

Petitioner's Exhibit 1074

I take this opportunity to refer to article 11:

"but before putting such measures (calculated to bring about a correct adjustment) into operation the Line is bound to inform the Secretary of the measures proposed to be adopted."

and to article 12:

"No line has the right to alter its steerage
* * * rates without having *previously* informed the Secretary."

10691 It will occasionally save trouble if this is attended to by all Parties.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 24 Jul., 1908. Ansd.—

Petitioner's Exhibit 1074.

G. No. 212.

ATLANTIC CONFERENCE.

10692 Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, July 24th, 1908.

To the Parties:

Russian Steamers.

S. S. "Estonia" of the Russasiatic sailed July 22nd from New York with 30 cabin passengers & 560 steeragers. The opposition steamer "Bremen" got 1298.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 27 Jul., 1908. Ansd.—

Petitioner's Exhibit 1295.

10693

G. No. 213.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 24th, 1908.

To the Parties:

Meeting.

I beg to confirm what the Parties are already informed of that a meeting will be held at Paris in the "Grand Hotel" on August 7th, 10 a. m.

10694

I shall send in due time the Agenda and shall be obliged if Parties will let me know until July 31st if they want any special points to be put down for discussion. The points I have noted are those contained in Annex to G. No. 190 (except 9) to which I have in the mean time added:

Definite fixation of the percentages.

List of agents receiving more than 5% commission on cabin business and definition of "Tourist Offices."

Exchange of numbers of I. cl. passengers.

Byelaws 1 - 25 to be signed (Art. 22 b.).

Balancing position in west—and eastbound Pool.

10395

Disqualification International Transportation Co.

Wm. H. Müller & Co. Rotterdam.

Recording Secretary's salary.

As it seems, Lines will be pleased to know in advance by which gentlemen the various Companies will be represented at the Meeting, I shall be obliged for such information and will, when received, make out a list of the gentlemen who may be expected to be present.

Respectfully,

H. PETERS.

10696

Petitioner's Exhibit 1075.*G. No. 214.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 25th, 1908.

To the Parties:

Bergen—Newyork.

10697

In Hamburg there are reports from Norway that in Bergen a great S. S. Co. for the North Atlantic trade is about to be established. The capital is to be 10 Million Crowns and in the beginning fortnightly, later weekly sailings between Bergen and Newyork are contemplated connecting with the railway Bergen-Christiania.

It will be remembered that in former years already, I think in the seventies a line was started from Bergen to Newyork, which was not very successful and existed only for about one year.

Respectfully,

10698

H. PETERS.

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 27 Jul. 1908. Ansd.

Petitioner's Exhibit 1076.

10699

G. No. 215.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, July 25th, 1908.

To the Parties:

New York & Continental Line.

10700

I beg to refer to the last section of G. No. 187
and to add that the "Jelunga" July 4th amongst other
passengers had 47 from England of which 11 were
for New York and 36 for Halifax.

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 27 Jul. 1908. Ansd.

10701

10702

Petitioner's Exhibit 1296.*G. No. 216.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 27th, 1908.

To the Parties:

10703

Balancing Pools against each other. (G. No. 211.)

With reference to this point so far the following
 Lines have expressed their views:

1) Allan Line:

10704

"We have your letter of 22nd inst., and in reply to your request for an expression of our views, we have to say that while you are obviously correct in stating that the Westbound and Eastbound Pools are separate, and should be separately dealt with, it is equally obvious that the state of affairs which has resulted from the first four months' working of the pooling agreements is so extraordinary that we think none of the parties could have had such results in contemplation at the time of entering into the agreements. If it is recognized that the present position is quite abnormal as regards both the Eastbound and Westbound Pool, and that percentages carried during the continuance of such abnormal conditions are not to be made the basis of any claims for alteration of the agreed percentages in the event of a future re-adjustment of percentages in connection with a new pooling agreement, we

Petitioner's Exhibit 1296

10705

fail to see that any disadvantage is entailed by allowing any Line to balance a shortage in one Pool by an excess in the other. In the present particular case, we certainly have no objection to the White Star Line's action in *raising* its Eastbound rates, and we have no objection to the principle being adopted that any Line may balance its position by an *increase* of rate,— We think the interests of other Lines can only be detrimentally affected by a reduction in rate, and the limit of general freedom should be maintained in regard to the latter.

"With reference to what you say as to Article 23, we have to ask you whether you have taken any action as regards the very large excess of 6,900 accumulated by the Cunard Line in the Westbound Pool as at 30th June, and the same Company's excess of 5,140 in the Eastbound Pool at the same date, or as regards the equally large shortage of the Norddeutscher Lloyd of 6,984 in the Westbound Pool at the same date. If not, we shall be glad to know on what grounds you consider that no action on your part is called for."

10706

2) Canadian Pacific Ry. Co.

10707

"Referring to your letter of July 22nd regarding the White Star method of adjusting their differences in the pool, both eastbound and westbound. I consider this is a matter which should come before the Meeting on August 7th and you will please therefore place it on the Agenda.

"In our opinion there is nothing in the Agreement which gives the White Star liberty to adjust their differences by placing a surplus against a shortage or *vice versa*, and to those

10708

Petitioner's Exhibit 1296

Lines who are only directly interested in one of the Pools it inflicts a hardship. Our position in the Eastbound Pool at the present time shows a minus and to enable us to make up that shortage we have to reduce our eastbound rate. If the plan such as the White Star have adopted is followed by all Lines, members of both Pools, we may find ourselves in the position of never being able to make up our shortage in so far that the present action of the White Star Line may be reversed by them or some other Line at any future time and put us in the position of having to face a situation making it impossible for us to adjust our differences seeing that we are only able to do so on the Eastbound pool, not being parties to the Westbound Pool. We consider that each pool should stand on its own legs, and we as members of the Eastbound Pool are not agreeable that differences should be adjusted by having one pool set against the other.

10709

3) Donaldson Line:

10710

"We are this morning in receipt of your circular letter G. No. 211, and certainly support your contention that the White Star Line are not entitled, under the contract, to make the *Eastbound* carryings balance the *Westbound* carryings, or *vice versa*."

4) Hamburg America Line:

"In reply to circular letter 211 there can be in our opinion no doubt, that we have a westbound pool and an eastbound pool, which are quite independent of each other. In either pool, irrespective of the other, an attempt must be made to bring about a balance by means of

the pool regulations. If therefore the White Star Line have advanced their third class east-bound rate solely in consideration of their west-bound poolings, they can only have done so owing to a mistaken view of the state of affairs. We therefore ask you to cause the White Star Line to withdraw the action they have taken. The White Star Line as a 'short' Party cannot advance, unless such advance takes place in the interests of all and/or by unanimous consent."

5) Holland America Line:

10712

"G. No. 211. White Star's eastbound advance, in order to adjust their westbound position, is not compatible with either the spirit or the letter of the agreement, so that we cannot agree thereto.

"This refers to this particular case, as well as to the adoption of the principle in general."

6) Norddeutscher Lloyd:

"We cannot approve the mode of the White Star Line to balance one pool against the other and must object to it."

10713

The Allan Line's letter calls for a reply on my part.

They ask if I have taken any action as regards the very large excess of the Cunard Line in the west-bound and eastbound pool on June 30th. To this I can reply yes. I wrote them as early as April 9th, pointing to their westbound plus of 1700 in one month if they had not better advance their westbound rates, to which they replied that the subject was receiving attention. I recapitulate the various measures the Cunard Line have taken:

10714

Petitioner's Exhibit 1296

1) April 7th:

"Advance in third class eastbound Continental rates 'Lusitania' and 'Mauretania' by 10 shillings."

2) April 26th:

"Advance of all Continental prepaid rates via Liverpool from \$25 1/2 and \$27 1/2 to \$32 1/2."

3) May 23rd:

10715

"Advance in westbound British third class rates five shillings and advance in all eastbound third class rates 'Lusitania' & 'Mauretania' two dollars, other Liverpool steamers one dollar."

4) June 1st:

"Advance in third class rates as follows: westbound British all steamers except 'Umbria' and 'Etruria' 5 shillings; westbound Scandinavian 'Caronia,' 'Carmania,' 'Ivernia,' 'Saxonia,' 5 Kroner, Finnish 7 Marks; *eastbound* all Liverpool steamers British Scandinavian, Finnish, Continental, one dollar."

10716

5) June 16th:

"Advance in westbound British & Scandinavian cash & prepaid rates 'Lusitania,' 'Mauretania,' by 5 shilling which makes these rates the maximum of £8.— advance in eastbound British & Scandinavian rates 'Lusitania' 'Mauretania' to \$40—"

In view of these repeated measures I have nevertheless by letter of 23rd inst. asked the Cunard Line to advance their continental westbound rate to M. 150.— to which I await their reply.

The Allan Line further ask me, if I have taken action as regards the large shortage of the Norddeutscher Lloyd in the westbound Pool. I have to reply by no, and the Allan Line want to know on what grounds I consider that no action on my part is called for.

The ground is in Commentar to Art. 11, clause a, by which the adjustment, whenever practicable, is to be affected *not by reducing* the rates of one Line, but *by raising* the rates of one or several of the Lines. I could therefore not properly request the Lloyd to reduce but might have requested:

The White Star Line which on 15th exceeded their share by 63% 10718

The Cunard Line which on 15th exceeded their share by 65%

The Dominion Line which on 15th exceeded their share by 72%

The Allan's Canadian Lines which on 15th exceeded their share by 233%

to advance their rates.

The Allan Line on July 15th had a plus under Agreement Z. of 1980; they had carried 2851 Continental passengers, quite as much as any other British Line, and they might have contributed their share to lessen the shortage of the Continental Lines generally and of the Lloyd specially, never mind how much or how little, by raising their continental rates, which they have done only partially and to an extent not in proportion to their great excess. Nothing was there to prevent them to take this course, on the contrary clause 5 c of Agreement Z. makes it binding upon them, as a Line in excess, to advance their rates.

10719

Another ground why I did not consider action on my part, as regards the shortage of the Lloyd, called for, is that Lloyd's rate for the Russian emigrants is already the lowest (M. 120 off Controlstations, G.

10720

Petitioner's Exhibit 1296

No. 113.) Any further reduction could not change the situation but could only lead to lower the level of the rates for Continental business generally.

As third ground why I did not ask the British plus Lines to advance their rates is one on which views may differ. I am of the opinion that ere long the present abnormal state of emigration will commence to approach a more normal state again and then it will be better a time to take actions with the view of adjustment, which will answer their purpose better than is possible at present without being detrimental to the common interest.

10721

The Allan Line say "the state of affairs which has resulted from the first four months working of the pooling agreements is so extraordinary that none of the parties could have had such results in contemplation." To this is to be replied that four months operation is under all circumstances a rather short time to enquire into the merits of these agreements and so much the more so where they have to meet quite exceptional circumstances in more than one respect. But so much I may say without fearing to be contradicted the main cause of the unsatisfactory state is clause 13 of Agreement Z.

10722

The White Star Line will have noted that the Hamburg American Line wish me to cause them to withdraw their advance eastbound and I beg to ask them what they intend to do.

I note the matter for the agenda of the meeting in case the Parties might wish to discuss it further.

Respectfully,

H. PETERS.

Petitioner's Exhibit 1297.

10723

G. No. 217.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 29th, 1908.

To the Parties:

Advance in eastbound Scandinavian rates.

10724

Since the beginning of the pool the Scandinavian eastbound rates of British Lines have undergone the following changes:

Lusitania, Mauretania, Campania, Lucania	from \$35.50 to \$43.75
Caronia, Carmania	" \$35.00 " \$37.50
Ivernia, Saxonia	" \$33.75 " \$35.75
Umbria, Etruria	" \$32.50 " \$34.50
Oceanic, Baltic, Cedric, Celtic	" \$35.50 " \$37.50
Arabic	" \$33.75 " \$35.75
Allan Line, Boston	" \$30.— " \$33.—
Canadian Pacific steamer (not Empress)	" \$30.— " \$31.—

10725

The Scandinavian American Line's rate of \$34.— and for the "C. F. Tietgen" of \$32.50 has remained unchanged and if rates influence the traffic, as is generally acted upon, it is to be supposed that a greater part of the Scandinavian eastbound traffic than heretofore will go to the Scandinavian American Line and thus be lost to the Pool. This is so much the more to be feared as the Cunard and White Star Lines carry to my knowledge the bulk of the Scandinavian

Petitioner's Exhibit 1297

10726

business. As long as it was only the Cunard Line that increased the former differential against the Scandinavian American Line one might think that what the Cunard Line lost in numbers would be gained by the other favorite, the White Star Line, but after they have also increased their differential I am of opinion that this cannot be looked on indifferently and I should like to get the views of the Parties on this point and specially of the British Lines. If there is cause to be anxious in this respect, it will have to be considered how the situation can be met without depriving the interested lines of the possibility to get better rates.

10727

This leads me to another thing. It is pity enough that owing to the existing competition of the Russian Line & the New York & Continental Line it is for the present impossible to advance rates on the continent, but why the British Lines should not dare to advance their British rate is impossible for me to understand. I presume it is for the Canadian Lines not being members to the pool. For the working of the pool this is bad enough, but why could not nevertheless an advance "all around" in Great Britain, say by 10 shillings be agreed upon? I ask this question because I wish that all the members to the

10728

Pool derive from it all the benefits, which it can give, if judiciously treated.

Respectfully,

(Stamped): North Atlantic Passenger Conference.

Received 31/7 1908 Ackn'd 1908 Answered 1908.

Defendants' Exhibit 48.

10729

G. No. 218.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, July 29th, 1908.

To the Parties:

Meeting, Paris, August 7th.

10730

I invited the Spanish Line and the Prince Line to
attend the meeting and received their following re-
plies:

Transatlantica:

"Floriano Rios represents our Company
Meeting Paris seventh August."

Prince Line:

"Our chief personally will endeavor attend
meeting Paris seventh August failing which
hope arrange for representative be there."

Respectfully,

10731

H. PETERS.

10732

Petitioner's Exhibit 1077.*G. No. 219.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 31st, 1908.

To the Parties:

Compensation Accounts for fighting rates. (G. No. 117.)

10733

Referring to G. No. 45 & 52 the Norddeutscher Lloyd have handed in their bill for passengers forwarded April 23rd by their ss. "Seydlitz" from New York viz:

1544 adults, 208 children. Total 1648 for which they have to receive a compensation of \$5 (G. No. 45) p. 1/1 = \$8240.

The Hamburg-American Line send me a bill for 12/1, 4/2 & 2/0 passengers overbooked by ss. "Seydlitz" April 23rd and forwarded by ss. "President Lincoln" April 25th.

10734 Rate of ss. "President Lincoln" \$28.
 " " " "Seydlitz" \$24.

	compensation	\$4.	per 1/1
12/1, 4/2, 2/0 passengers	=	\$56.	

Further accounts have been received from the Holland America Line as per annexes.

Petitioner's Exhibit 1077

10735

1) for ss. "Noordam"	April 15th (s. G. No. 195)	\$ 5061.76
2) " " "Nieuw Amsterdam"	June 3rd	\$ 8070.—
3) " " "Potsdam"	June 17th	\$14216.—
4) " " "Noordam"	June 24th	\$ 7928.—

 Total: \$35275.76

and on account of the White Star Line (annex 5) for \$656.

The above amounts are to be divided according to the eastbound percentages as follows:

from:		Hamburg- American Line	Holland- America Line
		to receive	to receive
		\$	\$
Allan Line	4.95%	2.77	1746.15
Anchor Line	3.93%	2.20	1386.34
Cunard Line	15.12%	8.47	5333.69
Hamburg-American L.	12.35%	6.92	4356.56
Holland-America L.	6.10%	3.42	2151.82
Nordd. Lloyd	18.79%	10.52	6628.32
Red Star Line	8.56%	4.79	3019.60
White Star Line	15.49%	8.67	5464.21
American Line	8.72%	4.88	3076.05
Dominion Line	1.50%	0.84	529.14
Canpac	4.49%	2.52	1583.88
		<hr/>	<hr/>
		\$56.	\$35275.76

10736

10737

10738

Petitioner's Exhibit 1077

10739

	from:		Norrd. Lloyd	White Star Line
			to receive	to receive
			\$	\$
Allan Line	4.95%		407.88	32.47
Anchor Line	3.93%		323.83	25.78
Cunard Line	15.12%		1245.89	99.19
Hamburg-American L.	12.35%		1017.64	81.02
Holland-America L.	6.10%		502.64	40.02
Norrd. Lloyd	18.79%		1548.29	123.26
Red Star Line	8.56%		705.34	56.15
White Star Line	15.49%		1276.38	101.62
American Line	8.72%		718.53	57.20
Dominion Line	1.50%		123.60	9.84
Canpac	4.49%		369.98	29.45
			<hr/>	<hr/>
			\$8240.	\$656.
			<hr/>	<hr/>

Subject to my later verification of the accounts of the different Lines and subject to the settlement of the rate of exchange at the Meeting of August 7th, I hereby beg the Lines to pay the above amounts to the respective Lines.

Respectfully,

10740

Petitioner's Exhibit 1078.

10741

*Annex to G. 219.**Account*

for 406/1, 14/2, 15/0 Hapag passengers ex s. s.
 "Pretoria" & sailed p. s. s. "Noordam" of the Hol-
 land-America Line from New York April 15th 1908.

"Noordam"	rate	\$34.—
"Pretoria"	"	\$23.—

Difference per 1/1	\$11.—
--------------------	--------

10742

Total difference for 406/1, 14/2, 15/0 =
 413 @ \$11.— \$4543.—

Difference between inland fare from Rotter-
 dam & inland fare from Hamburg \$ 470.50

Inland fares in respect of 19 passengers
 holding Hamburg-American Line's tickets
 to Hamburg and were forwarded from
 Rotterdam to Hamburg

19 x \$2.45	\$ 48.26
-------------	----------

Total:	\$5061.76
--------	-----------

10743

10744

Petitioner's Exhibit 1079.*Account*

regarding 1320 adults, 122 children and 92 infants booked for the Holland-America Line SS. "Nieuw Amsterdam," from New York June 3rd, 1908, selected by the Committee as opposition steamer against SS. "Petersburg" of the Russian Volunteer Fleet from New York June 3rd, 1908.

10745	Total number of third class passengers on board SS. "Nieuw Amsterdam"	1320 ad.	122 childr.	92 inf.
	of which	30 "	12 "	5 "

were booked at the regular third class rate in effect for ss. "Nieuw Amsterdam"

The remaining 1290 ad. 110 childr. 87 inf. were booked at the war-rate fixed for the above sailing at \$24.—

10746	Maximum agreed upon the Atlantic Conference Lines for compensation to the Line whose steamer is selected as opposition steamer against the Russian Lines:	
	per adult	\$30.—

War-rate collected from the above 1290 adults, 110 children & 87 infants, per adult	\$24.—
---	--------

Difference per adult	\$6.—
i. e., for 1290 adults, 110 children (1345 x \$6.—)	\$8070.—

Rotterdam, June 29th, 1908.
Holland-Amerika Linie

Petitioner's Exhibit 1080.

10747

*Annex to G. No. 219.**Account*

regarding 1672 adults, 220 children and 144 infants booked for the Holland-America Line s. s. "Potsdam" from New York June 17th 1908, selected by the Committee as opposition steamer against s. s. "Kherson" of the Russian Volunteer Fleet from New York June 17th 1908.

Total number of third		
class passengers on		10748
board s. s. "Potsdam"	1872 ad. 220 childr. 144 inf.	
of which	5 "	

were booked at the regular third class rate in effect for s. s. "Potsdam"

The remaining 1667 ad. 220 childr. 144 inf. were booked at the war-rate fixed for the above sailing at \$22.—

Maximum agreed upon by the Atlantic Conference Lines for compensation to the Line whose steamer is selected as opposition steamer against the Russian Lines		10749
per adult	\$30.—	

War-rate collected from the above	
1667 ad. 220 childr. 144 inf.	
per adult	"22.—

Difference per adult	\$ 8.—
i. e. for 1667 ad. 220 childr. (1777 x \$8) =	\$14216.—

10750

Petitioner's Exhibit 1081.*Annex to G. No. 219.**Account*

regarding 930 adults, 134 children and 81 infants booked for the Holland-America Line s. s. "Noor-dam" from New York June 24th, 1908, selected by the Committee as opposition steamer against s. s. "Russia" of the Russian East Asiatic S.S. Co. from New York June 24th. 1908.

10751

Total number of third
class passengers on
board s. s. "Noor-
dam" 930 adults, 134 children, 81 infants
of which 5 " 2 " 2 "

were booked at the regu-
lar third class rate in
effect for s. s. "Noor-
dam"

The remaining 925 adults, 132 children, 79 infants
were booked at the war-
rate fixed for the above
sailing at \$22.—

10752

Maximum agreed upon by the Atlantic Con-
ference Lines for compensation to the
Line whose steamer is selected as opposi-
tion steamer against the Russian Lines:
per adult \$30.—

War-rate collected from the above
925 adults 132 children 79 in-
fants per adult \$22.—

Difference per adult \$ 8.—

i. e. for 925 ad. 132 childr. (991 x \$8.—) \$7928.—

Petitioner's Exhibit 1082.

10753

*Annex to G. No. 219.**White Star Line*

Account for 157 adults, 14 children and 8 infants,
passengers overbooked from s. s. "Finland," June 6th,
1908, and transferred to s. s. "Oceanic" Eastbound
June 6th 1908.

"Oceanic's" rate	\$28.—	
Red Star Line to account to us for the passengers at	"24.—	10754
	<hr/>	
difference per adult	\$4.—	
Total difference for 157 adults, 14 children and 8 infants =	\$656.00	

20th June 1908

For Ismay, Imrie & Co.
per ?

10755

3585

10756

Petitioner's Exhibit 1083.*G. No. 220.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 31st, 1908.

To the Parties:

Newyork & Continental Line.

"Jelunga" sailed from Newyork 28th inst. with 300 steeragers. Opposition steamer "Noordam" 1735.

10757

"Voluturno" arrived at Rotterdam from Hamburg 27th inst. where she took 20 cabin & 150 steeragers and was intended to proceed for Newyork on 28/29. Of the steeragers 104 were in destination for Halifax and 46 for Newyork. Yesterday night the Holland-America Line sent me a telegram that the "Voluturno" had been arrested on account of unpaid stevedore's bill (same as "Jelunga" G. No. 197) and Landy (Atlantic Express Co.) was in trouble with 140 passengers. They asked me to wire to all parties that neither the Companies nor their agents directly or indirectly accept these passengers from Landy. They are also communicating with the Rotterdam agents of the Russian Eastasiatic Co. which has a sailing August 15th but so far they have not got a definite assurance.

10758

This telegram has been passed on to all the Lines yesterday night. Lines and agents are aware that the Atlantic Express Co. is disqualified. Besides, accepting these passengers might come under Art. 18b.

Opposition steamer

On August fifth the "Rossia" is to sail from New York. Opposition steamer is "Barbarossa" August 6th.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 4 Aug. 1908 Ansd.

Petitioner's Exhibit 1084.

10759

G. No. 221.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 1st 1908.

To the Parties:

Paris Meeting.

The Parties know that the Fabre Line have shown little willingness to attend the meeting. (their letter in G. No. 186 and later ones). I have in the mean time endeavored to make them better disposed and think it worth while to communicate their last reply:

10760

"Notre dernière lettre était du 21 Juillet, nous vous accusons réception de votre télégramme et de votre lettre du 23 ct. Nous reconnaissons parfaitement la valeur de votre argument en faveur d'un meeting en Europe plutôt qu'en Amérique, où les intérêts des divers agents des Compagnies peuvent s'écarter quelque peu de ceux des Compagnies elles-mêmes qu'ils représentent. Nous rendrons le 7 aout à Paris, au Grand Hotel, et formons dès à présent les meilleurs vœux pour le succès de cette Conférence, qui permettra il faut l'espérer, de mettre un terme aux perts énormes auxquelles on s'est trop facilement exposé. Nous ferons en tous cas tout ce qui dépendra de nous pour en assurer la réussite, par la recherche de bases sérieuses d'entente, et la durée, par l'application loyale des règles auxquelles on aura souscrit."

10761

As several of the Lines had expressed that it would be well that Mr. Sandford should be present at the

10762

Petitioners Exhibit 1085

meeting and as no line had objection I have invited him and received reply that he has sailed yesterday by "La Touraine."

For the Lines that will be represented at the meeting I beg to refer to the annex.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.

Recd. 4 Aug. 1908 Ansd.

10763

Petitioner's Exhibit 1085.

G. No. 221.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Paris Meeting.

The parties know that the Fabre Line have shown little willingness to attend the meeting (their letter in G. No. 186 and later ones). I have in the meantime endeavored to make them better disposed and think it worth while to communicate their last reply:

10764

"Our last letter was dated July 21st. We beg to acknowledge receipt of your wire and your letter of 23rd. We are in full sympathy with your argument proposing a Meeting in Europe rather than in America, where the interests of the various agents of the Companies, may deviate from those of the Companies represented by them. We shall attend the Conference to take place at the Grand Hotel, Paris on 7th August, and we sincerely hope that this meeting may be a success and put an end to

Defendants' Exhibit 49

10765

the enormous losses to which the Companies have too willingly exposed themselves. We, on our part, shall do all we can to arrive at an understanding, either by advancing suitable proposals, as regards agreements and its duration, or by our strict adhering to the agreements entered into by us."

As several of the Lines had expressed that it would be well that Mr. Sandford should be present at the meeting and as no Line had objection I have invited him and received reply that he has sailed yesterday by "La Touraine." For the Lines that will be represented at the meeting I beg to refer to the annex.

10766

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 4 Aug. 1908 Ansd.

Defendants' Exhibit 49.

G. No. 222.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, August 3rd, 1908.

10767

To the Parties:

Enclosed I beg to send the Agenda of the impending Meeting.

Respectfully,

"Voluturno" sailed August 1st, from Rotterdam for Halifax & New York.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 5 Aug. 1908 Ansd.

10768

Petitioner's Exhibit 1086.*G. No. 223.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 6th, 1908.

To the Parties:

Russian steamers.

10769 SS. "Korea" of the Russian Eastasiatic Co. left
 Libau on July 27th with 306 steeragers and 7 cabin
 passengers for New York via Rotterdam.

SS. "Estonia" of the same Co. arrived with 30
 cabin passengers and 570 steeragers on the 2nd in-
 stant at Rotterdam, where 376 steeragers were dis-
 embarked.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 10 Aug. 1908 Ansd.

Defendants' Exhibit 49a.*G. No. 224.*

ATLANTIC CONFERENCE.

10770 Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 6th, 1908.

To the Parties:

Change in rates.

Mr. Smyth informs me that the Allan Line, Liver-
 pool and Glasgow services have advanced their rates
 from:

Amsterdam)
 Rotterdam) to 150 Marks
 Antwerp)

Respectfully,

Petitioner's Exhibit 1088.

10771

G. No. 225.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 7th, 1908.

To the Parties:

Fighting Russian Steamers.

According to a cable the Russia sailed from New York on the 5th instant with 705 passengers: the Barbarossa which left New York yesterday had obtained 1420 passengers.

10772

Respectfully,

H. PETERS, JR.,

Mgr.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 10 Aug. 1908. Ansd.

Petitioner's Exhibit 1087.*G. No. 226.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

10773

August 10th, 1908.

To the Parties:

G. No. 223. The Rossia of the Eastasiatic Co. left Libau for New York without calling at Rotterdam.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 12 Aug. 1908. Ansd.

10774

Defendants' Exhibit 50.*G. No. 227.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 11th, 1908.

To the Parties:

Enclosed I beg to send a copy of the minutes of
 the meeting at Paris on the 7th August.

Respectfully,

10775

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 14 Aug. 1908. Ansd.

Petitioner's Exhibit 1298.*G. No. 228.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 13th, 1908.

To the Parties:

10776

Revision of percentages.

On the annexed sheets I beg to give a statement
 showing the result of the revision of the percentages
 according to the rectified annual Report for 1907 of
 Mr. Sandford. There is no alteration in the west-
 bound and eastbound percentages. Will the Parties
 please examine the statements. If not informed to
 the contrary up to 20th instant I take that they have
 been found correct.

Respectfully,

(Stamped): North Atlantic Passenger Conference,
 Received 15/8 1908. Ackn'd—1908. Answered—
 1908.

Petitioner's Exhibit 1299.

10777

*Annex to G. No. 228 13/8 08.**Westbound.*

The westbound percentages being agreed upon the basis of the years 1899/1903 & 1906, it only remains to revise the percentage of the Allan Lines' Boston service, which is based upon the figures of the years 1906 and 1907 as follows:

	1906.	1907.	Total.	Mean.	
Allan Canadian Lines	44870 = 7.20%	59537 = 8.20%			
Allan Boston Line	4091 = 0.65%	4960 = 0.70%	1.35%	0.68%	10778
Anchor Line	23635)	26509)			
I. M. M. Co.	141291) = 92.15%	154051) = 91.10%			
N. D. L. V.	409632)	465262)			
Total:	<u>623519 = 100.00</u>	<u>710319 = 100.00</u>			

The alterations in the figures do not affect the percentage of the Allan Line. The westbound percentages remain therefore unchanged as follows:

Allan Line Boston service	0.62%
Anchor Line	3.40%
I. M. M. Co.	19.75%
N. D. L. V.	62.48%
Cunard Line	13.75%
	<u>100.00</u>

10779

Eastbound percentages.

The Eastbound percentages originally agreed upon were:

Petitioner's Exhibit 1299

10780

Allan Line	5.88%
Anchor Line	4.89%
Immco	32.23%
N. D. L. V.	57.00%

 100.00

The Cunard Line, exclusive of their Fiume Service was then allotted 13.75%, by which the above percentages were altered as follows:

10781

Allan Line	5.07%
Anchor Line	4.22%
Immco	27.80%
N. D. L. V.	49.16%
Cunard Line	13.75%

 100.00

The C. P. R. was subsequently allowed a percentage of 4.60% which is 0.23% more than their share by the mean of the percentage of their carryings during the years 1906 and 1907 as follows:

10782

	1906.	1907.	Total.	Mean.
	No. of P/gers.	No. of P/gers.		
Allan Line	188906 = 96.03%	15249	= 95.23%	
Anchor Line		12278		
I. M. M. Co.		60432		
Cunard Line		37892		
N. D. L. V.		165290		
		291141		
C. P. R.	7807 = 3.97%	14595 = 4.77%	8.74%	4.37%
	196713 = 100.00	305736 = 100.00		

Petitioner's Exhibit 1299

10783

Allotted	4.60%
Mean	4.37%
	<hr/>
Difference	0.23%
	<hr/>

By the 4.60% of the C. P. R. the following alteration in the percentages was brought about:

Allan Line	4.84%	
Anchor Line	4.02%	
Immco Lines	26.52%	
N. D. L. V. Lines	46.90%	
Cunard Line	13.12%	10784
	<hr/>	
	95.40%	
C. P. R.	4.60%	
	<hr/>	
	100.00%	
	<hr/>	

A like addition as the C. P. R. had to be made on the part of the Immco Lines to the Allan Line; this resulted in the following percentages:

Allan Line	$4.84\% + 0.23\% = 5.07\%$	
Anchor Line	$4.02\% = 4.02\%$	
Immco Lines	$26.52\% - 0.23\% = 26.29\%$	10785
N. D. L. V. Lines	$46.90\% = 46.90\%$	
Cunard Co.	$13.12\% = 13.12\%$	
C. P. R.	$4.60\% = 4.60\%$	
	<hr/>	
	100.00	
	<hr/>	

The percentages being so far fixed, the Cunard Line's Fiume service joined on the basis of their carryings of Continental passengers during 1906 and 1907 as follows:

10786

Petitioner's Exhibit 1299

Total carryings of Atlantic. Conf. Lines incl. C. P. R.			
	1906.	1907.	Total.
Cunard Fiume	196713	305736	502449
	2865	9208	12073=2.35%
	<hr/> 199578	<hr/> 314944	<hr/> 514522

10787 The final eastbound percentages remain therefore
unaltered:

Allan Line	=	4.95%
Anchor Line	=	3.93%
Immco Lines	=	25.67%
N. D. L. V. Lines	=	45.80%
C. P. R.	=	4.49%
Cunard L. L'Pool	=	12.81%
Fiume Service	=	2.35%
		<hr/> 100.00%

10788

Petitioner's Exhibit 1089.

10789

G. No. 229.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 13th, 1908.

To the Parties:

Monthly Statements for July. (G. No. 193.)

10790

To-day I send the Monthly Statements for July.
 In conformity with the Summary No. 5 I have to request for the following payments being made:

White Star Line	to Continental Lines	£ 5097.
Allan Line	to Anchor Line	" 1646.
White Star Line	to American Line	" 3502.
White Star Line	to Cunard Line	" 636.
Canadian Pacific Ry. Co.	to Cunard Li.	" 560.
Allan Line	to Cunard Line	" 81.
Allan Line	to Donaldson Line	" 29.
Dominion Line	to Donaldson Line	" 47.

10791

The White Star Line for their payment to the Continental Lines will please send their check to me.

The Parties will please inform me when the payments have been made or received.

Respectfully,

(Stamp): Ismay, Imrie & Co. Passenger Dept. Recd.
 15 Aug., 1908. Ansd.

10792

Defendants' Exhibit 51.*G. No. 230.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 14th, 1908.

To the Parties:

New York & Continental Line.

10793

SS. "Jelunga" which sailed from New York July 28th with 300 steeragers was due at Hoek van Holland on 10th instant, but in order to evade embargo being laid on her by a Rotterdam butcher she disembarked her passengers on a tug on the high sea and proceeded for Hamburg. The passengers arrived at Rotterdam August 10th, afternoon.

Petitioner's Exhibit 1090.*G. No. 231.*

ATLANTIC CONFERENCE.

10794

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 14th, 1908.

To the Parties:

Russian Steamers.

SS. "Estonia" sailed from Libau 10th instant with 304 passengers of which 4 in cabin.

SS. "Korea" is to sail from New York August 15th. Opposition steamer is "Finland."

Defendants' Exhibit 52.

10795

G. No. 232.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 14th, 1908.

To the Parties:

Change in rates.

Mr. Smyth informs me that the White Star Line
 has advanced their rates from:

Libau }
 Riga } to 160 Marks
 Prepaid equivalent.

10796

Respectfully,

(Stamped): North Atlantic Passenger Conference
 Received 7/8 1908. Ackn'd 1908. Answered
 1908.

Petitioner's Exhibit 1091.*G. No. 233.*

ATLANTIC CONFERENCE.

10797

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 15th, 1908.

To the Parties:

New York and Continental Line.

Opposition steamer against "Vulturno" August
 22nd is "Zeeland."

10798

Petitioner's Exhibit 1092.*G. No. 234.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 18th, 1908.

To the Parties:

Russian steamer. (G. No. 231.)

10799

SS. "Korea" sailed from New York August 15th with 488 steeragers and 10 cabin passengers. Opposition steamer "Finland" sailed the same day with 1398 steeragers, excess of 166 by SS. "California."

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 21 Aug. 1908. Ansd.

Petitioner's Exhibit 1093.*G. No. 235.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

10800

Jena, August 19th, 1908.

To the Parties:

Russian steamers.

SS. "Estonia" of the Russian Eastasiatic SS. Co. arrived at Rotterdam from Libau on 14th instant with 300 steeragers and 4 cabin passengers and proceeded for New York 15th instant after having embarked 127 steeragers and 20 cabin passengers.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 22 Aug. 1908. Ansd.

Petitioner's Exhibit 1094.

10801

G. No. 236.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, August 21st, 1908.

To the Parties:

Italian rates of Cie Gen. Transatlantique.

I received the following letter from the Cie Gen. Transatlantique:

"Nous avons bien reçu votre dépêche nous disant que les lignes anglaises estimaient que nous devions reprendre la prix de \$20 au lieu de celui de \$17 que nous avons fixé pour "Chicago," "Gascogne" et "Floride." 10302

"Nous avons reçu à ce sujet des dépêches de la Cie Hambourgeoise et du Lloyd et nous acceptons volontiers, pour éviter des complications, de relever nos prix sur "Chicago" et "Gascogne." Nous attendons de nouveaux renseignements au sujet de "Floride" pour laquelle aucun prix n'avait été publié jusqu' à ce jour et dont la vitesse réduite légitime facilement une différence de \$3 entre elle et nos autres navires. 10303

"La baisse que nous avons faite a amené la protestation de M. Crespi auprès de M. Ballin. Cette protestation prouve que les lignes italiennes craignent beaucoup une baisse nouvelle, même faite sur des navires inférieurs aux leurs, et qu'elles sont arrivées aux prix les plus bas qu'elles peuvent pratiquer. Enfin, la démarche de M. Crespi prouve qu'il espère renouer des négociations et qu'il a besoin d'une entente.

10804

Petitioner's Exhibit 1095

"Nous désirons maintenir le prix de \$17 sur la "Floride" parce que nous n'accepterons jamais, comme le voudraient les lignes italiennes, que nos navires de ce type soient cotés à un prix sensiblement égal à celui que nous pratiquons sur nos paquebots rapides."

Respectfully,

Petitioner's Exhibit 1095.

G. No. 236.

10805

Italian Rates of the French Line.

I received the following letter from the French Line:

"We duly received your telegram, saying that the British Lines expect us to quote the old rate of \$20 in lieu of \$17, we have fixed for the "Chicago," "Gascogne" and "Florida."

"We have received on this subject telegrams from Hapag and Lloyds, and in order to avoid any complications, we are quite willing to increase our rates for the "Chicago" and "Gascogne." We are waiting for new instructions regarding the "Floride," for which up to the very day, no rate has been published, and which lower speed perfectly justifies a difference of \$3 between her and our other steamers.

10806

"The reduction made by us led to a protest by Mr. Crespi to Mr. Ballin. This protest proves that the Italian Lines are very much afraid of a new reduction, even for steamers being inferior to theirs, and that they have arrived at their lowest possible rate. In conclusion, Mr. Crespi's application prove that he is in hopes to resume negotiations, and that he is in need of an understanding.

Petitioner's Exhibit 1096

10807

"We wish to maintain the rate of \$17 for the "Floride," as, we would never accept, as desired by the Italian Lines, that our steamers of this type, are fixed at a rate being perceptibly level to that, we quote for our express steamers."

Yours truly,

Petitioner's Exhibit 1096.

G. No. 237.

10808

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, August 21st, 1908.

To the Parties:

Eastbound Prepaids.

The Red Star Line have received the following letter from their Newyork Office:

"*Eastbound Prepaids.* Of late as you are no doubt aware, there has been marked increase in the number of prepaids issued on your side. This no doubt has been due to the business depression here through which a number of people have become destitute and were obliged to write to their homes for funds to enable them to return.

10809

"In this connection may say that of course where prepaids have been issued from interior points such as Pittsburg, etc., we have handled same through our local agents. Some of the agents have asked whether in view of the labor

10810

Petitioner's Exhibit 1097

they have been put to in locating the passengers and arranging for their forwarding they should not be entitled to a small commission. We are aware that a commission is allowed to your agents for the labor in connection with prepaids issued on this side and the question comes up whether the lines could not apply the same rule in connection with eastbound prepaids. Kindly let us hear from you on this matter at your convenience."

The Red Star Line wish to have this matter put on
10811 the Agenda of the London Meeting.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 24 Aug. 1908. Ansd.

Petitioner's Exhibit 1097.

G. No. 238.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
10812 "Secretair," Jena.

Jena, August 21st, 1908.

To the Parties:

Russian steamers (G. No. 225.)

SS. "Rossia" arrived at Rotterdam from New York August 15th with 650 steeragers and 50 cabin passengers, she disembarked 560 and proceeded August 19th to Libau.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 24 Aug. 1908. Ansd.

Petitioner's Exhibit 1098.

10813

G. No. 230.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, August 22nd, 1908.

To the Parties:

Enclosed I beg to send the Agenda of the Meeting on 25th inst. anew on which the numbers 6 and 7 have been omitted, as Mr. Smyth informs me that the B. L. wish to postpone the discussion of these subjects.

10814

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
• Recd. 24 Aug. 1908. Ansd.

10815

10816

Petitioner's Exhibit 1099.

Agenda of the Meeting in London, Savoy Hotel, August 25th, 1908, 10 a. m.

- (1) Negotiations with Russian Eastasiatic SS. Co.
- (2) New Scandinavian competition.
- (3) A. E. Johnson & Co. (Minute 8 Paris meeting).
- (4) Confirmation of pool percentages as per Art. 3. (G. No. 228.)

10817

- (5) Deposit of bills accepted (Minute 2 Paris meeting) by whom to be drawn and to whose order.

(6) Reducing advertisement expenses (Minute 14 Paris meeting) and Mr. Smyth's letter August 15th.

(7) To consider the discontinuance of free forwarding of steerage passengers by British Lines between London & Liverpool and London & Southampton (Proposed by Allan Line).

(8) Payment of remuneration to agents in America for handling eastbound prepaids. (G. No. 237.)

(9) Are any measures to be considered in case it should not be possible to come to terms with Italian Lines.

10818

Jena, August 22nd, 1908.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 24 Aug. 1908. Ansd.

Petitioner's Exhibit 1100.

10819

G. No. 240.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 22nd, 1908.

To the Parties:

*East & Westbound Passenger Statistics. ("Strasser's
 Statistic.")*

The "Strasser's Statistic" up till now was only sent
 to Subscribers. Henceforth I will charge the expenses
 to the general account and I shall be obliged if the
 Lines will inform me how many copies they want. 10820

Respectfully,

H. PETERS.

Defendants' Exhibit 53.*G. No. 241.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

10821

Jena, August 22nd, 1908.

To the Parties:

Change in Rates.

The Allan Line advise me that they propose to advance their westbound rate for steerage passengers from Havre to 150 Francs immediately, and to advance the prepaid rate from Havre to 30 Dollars to correspond.

Respectfully,

10822

Petitioner's Exhibit 1101.*G. No. 242.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 25th, 1908.

To the Parties:

New York & Continental Line (G. 233).

10823

SS. "Voluturno" sailed August 22nd from New York
 with 300 steeragers. Her opposition steamer "Zee-
 land" sailed the same date with 1350 steeragers.

Defendants' Exhibit 54.*G. No. 243.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 25th, 1908.

To the Parties:

10824

Greck Line "Moraitis."

The Austro-Americana send me some reports from
 their Patras Agents, the contents of which might in-
 terest the Parties. The Parties will please find them
 annexed.

Respectfully,

H. PETERS,
 p. L. P.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 28 Aug. 1908. Ansd.

Defendants' Exhibit 54

10825

Annex to G. 243. 25/8 08.

Patras 1st August 1908.

*Private & Confidential.*Messrs Fratelli Cosulich
Trieste.

Dear Sirs:

Our attention has just been attracted to a paragraph in an Athenian paper the "Acropolis" announcing that rumors were persistently circulated in Syra, that the Ship-Owner "Moraiti" was to be declared insolvent—liabilities several millions. Syra interested to the extent of two millions, Andros for still more.

10826

Mr. Moraiti himself is we understand in England but we have no information if he has arranged for the payment of the 3rd Installment of value of the "Athenia." We understand that his claims re Hellos & Cyclados will be disputed by the Insee Cos.

Yours truly,
(Signatures)

Translation.

10827

Rumours of the Insolvency of the firm of "Moraitis."

Special telegram to "Acropolis."—Syra, 18:31 July, 1908.

"It is rumoured with insistence that the ship-owning firm of Moraitis will be declared in a state of insolvency, with liabilities of several millions.

"Syra is interested to the extent of two millions: Andros for more."

Patras, August 6th, 1908.

Re Moraitis. We beg to confirm our last respects of the 1st instant regarding the financial affairs of this gentleman. Since then we have sent you a telegram stating that the rumour that he had failed is contradicted. We have, however, to-day, to moderate this statement.

As a matter of fact it appears that, although Mr. Moraitis has not in actual fact been declared bankrupt, still a large amount of bills have been returned from England unpaid.

10829 A newspaper correspondent states that, having interviewed Mr. Moraitis' representative, he was informed that Mr. Moraitis is at present in England, looking after the encashment of the insurance monies of S/SS "Hellas" and "Cyclados," when all bills will be paid, and the third and last instalment of S/S "Athenia" will also be paid, and the star of Moraitis will be again in the ascendant.

From Government Official sources, however, we hear that the official report made by the Greek Naval officers, who were sent down by the Minister of Marine to where the wreck took place is most damaging to Mr. Moraitis, and we doubt very much if he will get paid his insurance money.

10830 We must also explain to you that his position is a very difficult one, as the present Minister of Marine, Mr. Embericos, also a shipowner, and also from the island of Andros, and who in former years used to work in joint account with Mr. Moraitis, is now his deadly enemy, not only in business, but also in politics.

Generally, everyone looks upon Mr. Moraitis as a ruined man.

Of course a great deal depends upon what action the insurance companies take,—should they pay him

Defendants' Exhibit 54

10831

up, he might perhaps be able to pull round, but the great blow his credit has sustained will make this very difficult.

(Signatures)

Patras, August 8th, 1908.

The report about Mr. Moraitis has been to-day verified—he has stopped payment, and up to now £40,000 in Bills have been returned unpaid.

The Greek Transatlantic Steamship Co. of which Mr. Moraitis is manager, and which owns S/S "Moraitis" is a limited liability concern, and it is not yet known to what extent the Company will be interested in the above failure.

10832

Mr. Moraitis left Greece three weeks ago for England, and we are of opinion that with the disorder and the great want of money he had, it will be very difficult to know what belongs to Mr. Moraitis and what to the Company.

We will keep you aware of how things develop. The second emigrant steamer S/S "Athena" has been launched since May, but we doubt very much if they will be able to take delivery of her.

10833

(Signatures)

P. S. Since writing above we hear of a telegram which has been sent by Mr. Moraitis' Bill Broker to the New York Agent of the Greek Transatlantic Co. as follows "*Position hopeless.*"

Defendants' Exhibit 51

Patras, August 14th, 1908.

Following what we wrote you a few days ago about Mr. Moraitis' difficulties, we now beg to inform you that the position is getting daily more acute. It seems that this gentleman has left England for America, and his present whereabouts are unknown. Big sums are due at Piraeus, Syra and in the Island of Andros.

10835

We understand that an effort is being made by the shareholders to reconstruct the transatlantic company under the management of Mr. Athanasiou Vagliano. This gentleman is very wealthy, but has no experience whatever about steamers or business, but can only just sign his name, and is not considered as a clever man. We hardly believe that this will take place unless some other proposal is laid before the shareholders.

10836

We may mention that a new company, called The Greek National Steamship Company, with Frs. 10,000,000 capital, has just been floated, with Messrs. Embericos as managers. One of the members of this firm is now the Greek Minister of Marine, and they are now building a twin-screw steamer with many first and second-class berths, and also emigrant accommodation, which they will try to run to the States. They have, or better, they intend ordering other steamers, but they have not yet decided if they will run them to the United States, or if they will start a line between Roumania, Greece, Italy and France, and Roumania, Greece and Egypt.

The boat they intend for the emigrants will not exceed 6,000 tons or 7,000 tons, and in case they do not succeed in making her pay in the transatlantic traffic, they will employ her on the lines above mentioned.

You will no doubt know that Messrs. Embericos are old shipowners, but they are considered rather conservative people, and we think they will not go in for the rash business, over which Mr. Moraitis, for glory's sake, lost his and his friends' money.

Defendants' Exhibit 54

10837

We shall not fail to keep you well posted in anything further that may transpire.

(Signatures)

Postscript. Since writing the foregoing, we have seen the Government Gazette with the Articles of Association. From this it appears that it is only proposed to issue at present shares to the value of Frs. 2,000,000 promoters' shares. Authority is reserved to issue a further Frs. 2,000,000 within a year, for the purpose of paying for the second boat, and the General Meeting in 1910 will decide as to the question of further emissions.

10838

From this it looks as if at present the promoters' ideas are only to experiment with one steamer.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 28 Aug. 1908. Ansd.

10839

10840

Petitioner's Exhibit 1102.*G. No. 244.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 27th, 1908.

To the Parties:

Russian steamers.

10841

SS. "Rossia" sailed August 24th with 497 steer-
 agers and 30 cabin passengers from Libau via Rotter-
 dam to New York.

Petitioner's Exhibit 1103.*G. No. 245.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 29th, 1908.

To the Parties:

10842

I herewith beg to enclose a copy of the provisional
 Agreement with the Russian Eastasiatic Co. as con-
 cluded on the 26th instant. At the request of the Red
 Star Line I wired Mr. Sandford on the 26th inst. as
 follows:

"Agreement reached with Eastasiatic Co.
 cancel competition Eastasiatic rate \$28.—"

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 3 Sept. 1908. Ansd.

Defendants' Exhibit 55.

10843

G. No. 246.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, August 31st, 1908.

To the Parties:

I herewith beg to enclose copy of minutes of the last meeting, to which I have added the telegrams exchanged between General-Director Dr. Wiegand and Dr. Paratore of the Navigazione Generale.

10844

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 3 Sept. 1908. Ansd.

10845

10846

Defendants' Exhibit 56.*G. No. 247.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, 2nd September, 1908.

To the Parties:

Head-tax.

10847

Hapag write:

10848

"On several occasions it has happened that steeragers forwarded by us at regular rates have claimed the amount of the Head-tax from us after their arrival in America. Upon our objection that we had not charged the Head-tax, but that all fees whatever were included in the fare, our opponents claimed that the United States law prescribed a Head-tax for aliens and consequently the fare for aliens ought to be higher than the fare for persons being non-aliens. We may mention that it is not at all certain that the claimants were, in fact, American citizens, they only pretended to be it. In order to avoid the expenses of a law-suit which even in case of success would be very high, we have upon our American lawyers advice always voluntarily refunded the amount claimed. The number of such claims lately, however, increased so considerably that we have resolved today to quote for the beginning for such steeragers as travel with our steamers via New York to Canada a fare which

Defendants' Exhibit 56

10849

is Marks 16.—, *i. e.* the amount of the Head-tax, lower than the fare to New York. For the next conference we reserve the right to put again the motion to collect the Head-tax separately and to issue an extra receipt for it. As it will very likely interest the parties, what our New York house reports to us in this matter we herewith beg to hand you copy of a letter we have recently received."

The copy referred to reads:

"Referring to your letter of the 17th inst. regarding the Head-tax, we take the liberty of pointing out that your view does not quite correspond with the position of affairs here. The immigration law requires that a head-tax be levied on all aliens. It follows therefore of itself that citizens must cross the ocean more cheaply than foreigners. But, as we charge in Europe the same fares for both, citizens consider themselves entitled to a refund and when, as often happens, they claim accordingly from the Immigration authorities, they are referred to us and receive at the same time special confirmation that they are entitled to receive such refund. If, therefore, we were to refuse to allow a refund to these people, after they are aware that no tax has been paid for them, we should have to expect numerous lawsuits, all of which we should probably lose. In such cases, therefore, we cannot avoid meeting the demand. In other cases, when claims are addressed direct to us, we endeavor to avoid making a refund, by pointing out that the regular fare was paid and that the head-tax, if payable, will be defrayed by us, but are not always successful. In our opinion, when-

10850

10851

10852

Defendants' Exhibit 56

ever a justified claim is put forward, we ought always to make a refund immediately and thereby avoid offending the local Government to the notice of which cases, where we have refused a refund are, sooner or later, sure to be brought by the complainants. To make matters easier, we have frequently proposed to you that the tax should be collected in Europe just as separately as is done here in the case of prepaids."

Respectfully,

10853

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 4 Sep. 1908. Ansd.

10854

Petitioner's Exhibit 1104.

10855

G. No. 248.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, September 3rd, 1908.

To the Parties:

Russian Steamers.

S. S. "Rossia" arrived August 27th at Rotterdam from Libau, with 497 steeragers & 30 cabin passengers where she still embarked 168 steeragers & 20 cabin passengers. She left Rotterdam August 29th for New York.

10856

S. S. "Korea" arrived August 27th with 490 steeragers & 10 cabin passengers from New York at Rotterdam, where she landed 370 steeragers. She left Rotterdam August 29th for Libau.

The reports will be discontinued in view of the Agreement with the Russasiatic.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept. 10857
Recd. 7 Sep., 1908. Ansd.

10858

Petitioner's Exhibit 1105.*G. No. 249.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 4th, 1908.

To the Parties:

Compensation for fighting rates.

10859 I informed the parties that the bill for compensation moneys as per G. No. 219 had to be rectified, as according to the award of Mr. Ismay S. S. Noordam April 15th is not entitled to more compensation than the Pretoria viz: \$7.— instead of \$11.— the statement has been altered accordingly.

The amounts due are now as follows:

I. *Hapag*:

compensation for 12/1, 4/2, 2/0 overbooked
 by S. S. Seydlitz April 23rd and forwarded by S. S. President Lincoln, April 25th at the basis of the rate of S. S. President Lincoln viz: \$28.—

10860 and the rate of S. S. Seydlitz viz: \$24.—
 therefore compensation \$4 per adult for
 12/1, 4/2, 2/0— \$56.—

II. *Nasm*:

compensation as per
 annex 1, for S. S. Noordam April 15th
 (cfr. G. No. 195)— \$ 3409.76
 annex 2, G. 219 for S. S. Nieuw Amsterdam, June 3rd (cfr. G. No. 123)— " 8070.—
 annex 3, G. 219 for S. S. Potsdam June 17th (cfr. G. No. 130)— "14216.—

Petitioner's Exhibit 1105

10861

annex 4, G. 219 for S. S. Noordam June
24th (cfr. G. No. 171)—

" 7928

\$33623.76

III. *Nordd. Lloyd:*

compensation for 1544/1, 208/2 at \$5.—

per adult (vide G. No. 45)—

\$ 8240.—

IV. *White Star Line.*

as per annex 5 to G. No. 219. (vide G.

230)—

\$ 656.—

10862

V. *Red Star Line*

as per annex 2 (vide G. No. 234)—

\$4154.—

By agreement between the N. D. L. V. and Transat as provided for in Minute 22e, Transat undertakes to participate in the compensation payments with 10.10% that is 9.17% in bearing its own share in the reduction of the percentages, the distribution of the amounts is therefore as follows:

		I. Ham- burg Ameri- can Line.	II. Holland America Line.	
		To receive	to receive.	
from:		\$	\$	10863
Allan Line	4.50%	2.52	1513.07	
Anchor Line	3.57%	2.—	1200.37	
Cunard Line	13.73%	7.69	4616.54	
Hamburg American Line	11.22%	6.28	3772.59	
Holland America Line	5.54%	3.10	1862.76	
Norddeutscher Lloyd	17.07%	9.56	5739.57	
Red Star Line	7.77%	4.35	2612.57	
White Star Line	14.07%	7.88	4730.86	
American Line	7.92%	4.44	2663.00	
Dominion Line	1.36%	0.76	457.28	

Petitioner's Exhibit 1105

10864

Canpac	4.08%	2.28	1371.85
Transat	9.17%	5.14	3083.30
		<hr/>	<hr/>
	100.00	56.00	33623.76
		<hr/>	<hr/>

		III. Nordd. Lloyd Line.	IV. White Star Line.
		to receive.	to receive.
	from:	\$	\$
	Allan Line	4.50% 370.80	29.52
	Anchor Line	3.57% 294.17	23.42
	Cunard Line	13.73% 1131.35	90.07
10865	Hamburg American Line	11.22% 924.53	73.60
	Holland America Line	5.54% 456.49	36.34
	Nordd. Lloyd	17.07% 1406.57	111.98
	Red Star Line	7.77% 640.25	50.97
	White Star Line	14.07% 1159.37	92.30
	American Line	7.92% 652.61	51.96
	Dominion Line	1.36% 112.06	8.92
	Canpac	4.08% 336.19	26.76
	Transat	9.17% 755.61	60.16
		<hr/>	<hr/>
		100.00	8240.00 656.00
		<hr/>	<hr/>

10866

		V. Red Star Line.
		to receive
	from:	\$
	Allan Line	4.50% 186.93
	Anchor Line	3.57% 148.30
	Cunard Line	13.73% 570.34
	Hamburg American Line	11.22% 466.08
	Holland America Line	5.54% 230.13
	Norddeutscher Lloyd	17.07% 709.09
	Red Star Line	7.77% 322.77
	White Star Line	14.07% 584.47

Petitioner's Exhibit 1105

10867

American Line	7.92%	329.—
Dominion Line	1.36%	56.49
Canpac	4.08%	169.48
Transat	9.17%	380.92
		<hr/>
	100.00	4154.00
		<hr/>

These amounts are subject to my verifying the accounts.

As the negotiations on Austro-Americana's participation in the eastbound business are still pending, Austro's quote had to be omitted; for this amount the statement is still subject to rectification. In the meantime I would request to pay the above amounts to the respective Lines.

10868

Subsequently Transat is willing to contribute with its share to the compensation of the Pretoria as per G. No. 117. The amounts which under these circumstances are to be refunded and which I request Transat to pay are the

Allan Line	M	281.73
Anchor Line	"	225.39
Cunard Line	"	870.24
Hamburg American Line	"	707.46
Holland America Line	"	350.61
Norddeutscher Lloyd	"	1076.85
Red Star Line	"	494.59
White Star Line	"	889.02
American Line	"	500.86
Dominion Line	"	87.65
Canpac	"	256.69

10869

Total: M 5741.09 = 9.17% of M 62607.30
Respectfully,

Petitioner's Exhibit 1105

10870

Annex 1 to G. No. 249. 4/9. 08.

Holland-Amerika Linie.

Account

regarding 406 adults, 14 children and 15 infants, booked for the third class of s.s. "Pretoria" of the Hamburg-American Line, from New York April 11th 1908 and transferred to the Holland-America Line steamer "Noordam," from New York April 15th, 1908:

- 10871 Regular third class rate \$ 34.— per adult
 The Hamburg-America Line settled with us for the above named passengers at the rate of " 23.— " "

According to the award of the arbitrator (G. No. 195) s.s. "Noordam" is entitled to receive the same amount of compensation as was paid to the "Pretoria," viz: \$7.—per adult *i. e.* for 406 adults, 14 children and 15 infants

- 413 x \$7.— \$2891.—
 10872 S.S. "Noordam" is also entitled to receive the difference between the costs of European inland transportation tickets furnished by us to the above passengers for their transportation from Rotterdam to their European inland destinations, and the amount of European inland fares from Hamburg to said destinations collected by the Hamburg-

Petitioner's Exhibit 1105

10873

American Line and turned
 over to the Holland-America
 Line, viz: \$ 470.50
 and also the inland fares paid
 by the Holland-America Line
 for 19 third class railroad
 tickets Rotterdam-Hamburg
 furnished to 19 of the above
 passengers holding Hamburg-
 American Line Ocean Tickets
 to Hamburg \$ 48.26

 Total

 \$3409.76

10374

10875

10876

Petitioner's Exhibit 1106.*Annex 2 to G. No. 249. 4/9. 08.*

III. Cl. Pass.

New York August 18-08.

Red Star Line,
Office of the Manager,
Antwerp.

Dear Sir,

10877

Opposition Steamers. Referring to our letter of the 14th our Accounting Dept. were unable to complete the statement of the passengers secured by the "Finland" on her June voyage eastbound at fighting rates but it has now been finished and we are giving you same below.

Total No. of passengers	1130½	statute adults
Less 5 Bondables		
3 E. B. Prepaids		
84 at \$28 rate		
	92	
		92

1038½ statute ad. at \$24

10878

on which we should be compensated at \$4 each, amounting to \$4154.—

Yours faithfully

RED STAR LINE

Petitioner's Exhibit 1107.

10879

G. No. 250.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 7th, 1908.

To the Parties:

New York & Continental Line.

10880

S.S. Volturno of the New York & Continental Line, sailed August 22nd with 300 steeragers from New York, she disembarked them Sept. 4th at Hoek van Holland and proceeded to Hamburg. The passengers were forwarded on a river-boat to Rotterdam.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 9 Sep. 1908. Ansd.

10881

10882

Petitioner's Exhibit 1108.*G. No. 251.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, September 10th, 1908.

To the Parties :

10883 In compliance with the wishes uttered by the Red Star Line at the last meeting to have the minutes printed as well as the byelaws, I have compiled them and herewith beg to send a copy of it. It is a repetition of the minutes and byelaws as submitted to the Lines by circular Letters G. N. 116,227 and 246 with the exception of the names of the representatives of the Lines and the signatories. In order to distinguish the byelaws, the minutes have been printed in Italics.

If the Lines find it convenient I shall in future publish the minutes and byelaws in the same way.

Respectfully,

H. PETERS.

10884

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 14 Sep. 1908. Ansd.

Petitioner's Exhibit 1300.

10885

G. No. 252.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 10th, 1908.

To the Parties:

Russian Eastasiatic S.S. Co.

10886

Yesterday Mr. v. Benislavski was here, but before I could see him he had received news of an accident in his family calling him home all on a sudden.

I had however some conversation with two gentlemen of his staff, who informed me that the understanding with the Holland America Line concerning freight matters, provided for in clause 6 of the Memorandum of August 26th, had been reached. This has been confirmed by the Holland America Line, and I shall now draft the Agreement with the Russian Eastasiatic S. S. Co. which is to replace the Memorandum as per clause 9.

Amongst the topics of the conversation there was one requiring some attention. The Russian Volunteer Fleet have still on stock about 3000 prepaids from Libau and about 150 from Rotterdam. They have applied to the Russian Eastasiatic to take charge of them, but this Co. could not think of it, since they are in the pool, as the average net rate might not come up to \$20 and considering the large number of children on these prepaids.—On the other hand it is to be presumed that none of the other parties would care to carry the passengers at the R. V. F.'s rates.

10887

Petitioner's Exhibit 1300

10888

Under these circumstances the R. E. Co. pointed to the possibility or probability that the R. V. F., in order to meet their engagements might send out their unemployed steamer "Moskva" for several sailings and thus become again a disturbing element, at least temporarily in the westbound and eastbound traffic, against which I of course have pointed to clause 4 of the Memorandum. I have promised to submit the matter to the A. C. Lines.

10889

As mentioned it is to be assumed that no Line will be ready to take the R. V. F's prepaids from Libau at the net rate at which they are sold. The situation in my opinion will be this: The buyers of these prepaids will hold the agents of the R. V. F., Messrs. C. B. Richards & Co. responsible, and the R. V. F. will be aware, that they on their part are responsible to their agents.

10890

Suppose the 3150 prepaids mentioned above, to be souls and not adults or tickets for families and the number of adults to be say 2500. If the net rate has been \$20 and the R. E. A. Co. was willing to take charge of them at their present net rate of \$32, this would mean a loss to the R. V. F. of 2500 .12 or \$30,000. It is evident that three trips of the "Moskva," even if they secured a full steerage out and home, would mean a greater loss but still, the ways of the R. V. F. are incalculable and therefore rather than incur any risk of fresh disturbance I would propose, to enable the R. E. Co. to secure those prepaids in the following way. They try to get from the R. V. F. as high a rate as possible. From this net rate a carrying rate (including headtax) of say \$8, to be deducted, and in the proportion of the then remaining amount to their own present net rate, less \$8, carrying rate the R. E. A. Co. accounts for these passengers in the pool, *f. i.* The R. E. Co. get from the R. V. F. \$27 net; their present prepaid net rate be \$32. Deducting

Petitioner's Exhibit 1300

10891

from both rates a carrying rate of \$8 gives a proportion of 19:24 which means that if the R. E. Co. carries 24 souls of the R. V. F.'s prepaids, they would account in the pool only for 19.

I shall be obliged for the views of the Parties upon receipt of which I shall communicate with the R. E. Co.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
Received, 12/9, 1908. Ackn'd, 1908. Answered,
1908.

10892

10893

10894

Petitioner's Exhibit 1301.*G. No. 253.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 11th, 1908.

To the Parties:

Monthly Statements for August (G. No. 229.)

10895 Today I send the Monthly Statements for August.
 In conformity with the Summary No. 6 I have to request for the following payments being made:

Allan Line	to Continental Lines.....	£1415
Anchor Line	" " "	" 1325
White Star Line	" American Line	" 1227
" " " "	" Dominion Line	" 1465
" " " "	" Continental Lines	" 1454
Cunard Line	" " "	" 1716
Can. Pac. Ry. Co.	" " "	" 1748
" " " "	" Donaldson Line	" 84

The Parties will please inform me when the payments have been made or received.

10896 For the payments to the Continental Lines the respective Lines will please send their check to me.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received, 14/9, 1908. Ackn'd, 1908. Answered, 1908.

Petitioner's Exhibit 1109.

10897

G. No. 254.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 12th, 1908.

To the Parties:

Italian Lines.

For records sake and in connection with Minute 67
 I give-a statement of the telegrams further exchanged
 with reference to the negotiations with the Italian
 Lines:

10898

1) 31/8. Bremen:

"Paratore wires that he will be in Bremen
 Wednesday.

"LLOYD."

2) 2/9. Bremen:

"Have proposed Paratore to advance Italian
 eastbound rates 5 dollars allround against which
 Italian Lines advance eastbound continental
 rate to 35 dollars to make it prohibitive. Com-
 mission 2 dollars. Paratore will wire decision
 of Italian Lines from Milan the day after to-
 morrow.

10899

"WIEGAND."

3) 5/9. Bremen:

"Paratore wires under yesterday's date: Can
 obtain decision Ital Lines only tomorrow. Will
 wire tomorrow from Rome.

"LLOYD."

10900

Petitioner's Exhibit 1109

4) 7/9. Liverpool:

"No telegram received containing decision Italian Lines.

"PASSENGER."

5) 8/9. Bremen:

10901

"Paratore wires: Italian Lines confirm to be ready discuss agreement immediately but they are sorry to be not able consent your wish. Telegram ends. Am trying to arrange for a meeting of German Lines with Paratore Crespi on Friday this week. If this succeeds I think right to do nothing in the mean time.

"WIEGAND."

6) 9/9. Liverpool:

"Referring your telegram eighth British Lines at meeting today feel strongly in view unsatisfactory attitude Italian Lines that the measures agreed upon in London should be put into force forthwith reply as soon as possible.

"PASSENGER."

7) 9/9. Bremen:

10902

"Meeting of German Lines with Crespi and Paratore takes place Monday afternoon Berlin Hotel Kaiserhof.

"HEINEKEN."

8) 10/9. Bremen:

"As already for Monday next a meeting with Crespi and Paratore has been arranged we would consider it wrong to take measures sooner.

"LLOYD."

Petitioner's Exhibit 1109

10903

9) 10/9. Antwerp:

"Concur with British Lines' views that we should no longer allow Italian Lines to amuse us.

"STAR."

10) 10/9. Paris:

"Believe it would be well to await result of German Lines with Crespi, Paratore tomorrow before taking London measures.

"TRANSAT."

11) 10/9. Triest:

10904

"Agree with British Lines' views. Suggest also reduction official westbound rate from Italy.

"COSULICH."

12) 10/9. Rotterdam:

"Suggest reply British Secretary that we would like to await the result of the meeting of German Lines with Paratore and Crespi.

"AMERICANO."

13) 10/9. Liverpool:

10905

"Reply telegram we note that German Lines propose meet Crespi Paratore Berlin Monday but British Lines view this further delay as indicative of Italian Lines policy of procrastination and again urge the putting into force at once of the measures agreed at London meeting please reply.

"PASSENGER."

10906

Petitioner's Exhibit 1109

14) 10/9. Antwerp:

"Concur with view that measures against Italian Lines as considered in London should become operative.

"STAR."

15) 11/9. Bremen:

"Italian Lines had proposed meeting Saturday. This not being convenient to German Lines Monday was agreed. There is therefore no procrastination on the part of the Italian Lines and we decidedly are opposed to measures being taken before meeting has taken place.

10907

"LLOYD."

16) 11/9. Rotterdam:

"Supposing Meeting Berlin having been arranged on the presumption that meantime nothing would be done think it would not be right to enforce measures considered in London forthwith. If Monday it is shown to be inevitable not much will be lost by a delay of three days.

10908

"AMERICANO."

17) 11/9. Trieste:

"In order to facilitate result of Monday meeting Berlin think British Lines or at least some of them should at once put into force measures agreed at London reducing also official westbound Italian rate.

"COSULICH."

Petitioner's Exhibit 1109

10909

18) 11/9. Liverpool:

"Under circumstances mentioned in telegram of today British Lines will await result meeting on Monday next but feel strongly that if same not satisfactory authorised measures should not be further postponed.

"PASSENGER."

19) 11/9. Triest:

"Italian Lines not having yet advanced their continental eastbound rate we have reduced our eastbound rate for Martha Washington sailing from New York September 16th to twenty-four dollars.

10910

"COSULICH."

20). There is further the following letter from the Hamburg American Line dated 11th instant:

"In reference to the telegrams of the eight British Lines we beg to inform you that it was only reluctantly when we assented not to put in force at once the counter measures, agreed upon in London, against the action of the Italian Lines. We would then surely have been in a much stronger position at the impending meeting. Should also in Berlin an agreement not to be reached at immediate proceedings as resolved in London are considered indispensable by us."

10911

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 14 Sep., 1908. Ansd....

10912

Petitioner's Exhibit 1110.*G. No. 255.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 15th, 1908.

To the Parties:

Cunard's Fiume Service.

10913

I have to inform the Parties of the following telegram of the Cunard Line of September 1st:

"Referring Minutes London Meeting August 26, Clause 2 in which it is mentioned that the basis of Cunard Fiume carryings for the years 1906-7 would give 6.47 percent kindly note that the correct figure for our carryings in these years is 6.88 percent."

10914

I asked the Cunard Line to give me the figures on which this percentage is based and they sent me the following statement, showing the carryings of the Atlantic Conference Lines for 1906-7 taken in conjunction with their Mediterranean service.

Petitioner's Exhibit 1110

10915

	1906. Passengers		1907. Passengers		
Allan Line	4.091		4.960		
Anchor Line	23.635		26.509		
American	51.450		52.056		
Cunard (Liverpool) ..	93.195		93.282		
Dominion Line	26.882		34.919		
Hamburg-America ...	128.575		144.559		
Holland-America	42.988		46.718		
Norddeutscher Lloyd	173.449		204.142		
Red Star Line	64.620		69.843		
White Star	62.959		67.076		
Cunard Fiume	50.363	6.97%	54.105	6.78%	10916
Average	<u>722.207</u>		<u>798.169</u>		
Total	760.188				
Cunard	52.234.	Average Percentages 6.88%.			

The numbers of passengers as given are in accordance with the Strasser's statistics. The average of the percentages is 6.88%. The percentage of the average of the carryings is 6.87%.

Respectfully,

H. PETERS,
p. M. P.

10917

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 18 Sep. 1908. Ansd. 19 Sept.

10918

Defendant's Exhibit 57.*G. No. 256.*

ATLANTIC CONFERENCE

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 21st, 1908.

To the Parties:

Italien Lines Westbound.

10919

The White Star Line write:

"We think the Lines will be interested to hear, in view of what took place at the Paris Meeting, that our representatives in Italy advise us that they hear the National Compagnies are paying as high as 70/80 Lires Commission on Westbound business and they have actually seen some of the National Companies' circulars quoting 60 Lires commission and upwards according to the numbers booked."

Respectfully,

H. PETERS.

10920

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 23 Sep. 1908. Ansd.

Petitioner's Exhibit 1302.

10921

G. No. 257.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 21st, 1908.

To the Parties:

Cunard's Fiume Service, G. No. 255.

With reference to G. 255 the White Star Line write:

"To be exact, the figures for the Russian East Asiatic Co., now parties to the Pool, should be included, which would make the percentages for 1906 and 1907 6.95% and 6.69% respectively."

10922

I should like to know how the other Parties think about it. By the Memorandum of an Agreement between the Russian "Eastasiatic Co." I did not understand that this Company is to be considered as a party to the Pool but I took it, that it was to be a separate Agreement between the Russasiatic and the A. C. Lines on the same Lines as the Agreement between the Atlantic Conference Lines (Clause 9 of the Memo).

If this is not what was intended, then the White Star Line are right in what they say, although practically it makes no difference, if a smaller percentage is taken of a proportionately larger number. But at any rate the figures for the Russasiatic of 1906 in which they had only 5 sailings cannot be taken as part of a basis for arriving at correct percentages.

10923

Respectfully,

(Stamped): North Atlantic, Passenger Conference.
 Received, 23/9, 1908; Ackn'd. . . . 1908; Answered,
 1908.

Petitioner's Exhibit 1303.

10924

G. No. 258.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 21st, 1908.

To the Parties:

Russian Eastasiatic S. S. Co. (G. No. 252.)

10925

I have asked the R. E. SS. Co. for the exact figures of the Russian Volunteer Fleet's prepaids and they reply that they will report as soon as possible but they expect, that it will take some time in view of the slow and clumsy working with the Volunteer Fleet

With respect to clause 4 of the Memorandum the R. E. S. S. Co. are of opinion, that it would apply only to the case that the Volunteer Fleet should definitely take up again the Service to New York, but not if they only temporarily made a few trips in order to liquidate their business.

10926

The R. E. S. S. Co. don't think, that the Volunteer Fleet will take the course of sending out the "Moskwa" as it would be too expensive; but should they still do so, they don't consider clause 4 applicable.

The Red Star Line write referring to G. No. 252:

"The percentage which the Russian Eastasiatic Co. got at London is more than that Company is entitled to according to the statistics based on their carryings and the reason for this is mainly that they claimed and received credit, to a certain extent, for the carryings of the Russian Volunteer Fleet, which had gone out of existence; it would then seem to us that

the Russian Eastasiatic Co. might take care of the outstanding prepaids of the Russian Volunteer Fleet since in their percentage a portion of the Russian Volunteer Fleet's carryings is included. If however the Russian Eastasiatic Co. decline to do so it would then seem to us that it is entirely a matter for the Russian Volunteer Fleet to find out whether it is cheaper for them to dispatch special steamers to carry their outstanding prepaids or to make arrangements with the Russian Eastasiatic Co. or any other Company for the forwarding of all their prepaids at a reasonable price. We suppose that no Line being short in the Pool would decline to carry these prepaids at their nett tariff rate."

10928

The Holland America Line, Allan Line, White Star Line have agreed with the proposal in G. No. 252. The rest of the Lines have not replied yet.

Respectfully,

(Stamped): North Atlantic, Passenger Conference.
Received 23/9 1908. Ackn'd 1908. Ansd. 1908.

10929

10930

Petitioner's Exhibit 1111.*G. No. 259.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 22nd, 1908.

To the Parties:

10931

The Russian Eastasiatic Co. being no longer allowed to call at Rotterdam westbound inform me, that they have still 430/1 170/2, 30/0 steerage open prepaids from Rotterdam, for which they got a net amount of 13451 dollars. The Holland America Line will undertake to forward these prepaids provided the parties refund them the difference between the rate they get from the Russasiatic and their regular rate. Will the Lines inclusive Transat and Austro please let me know what they think about it. If agreed the amount of the compensation to the Holland America Line would have to be paid by the Lines pro rata of their interests in westbound steerage business *i. e.* the percentages would be modified by the participation of Transat and Austro.

10932

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 24 Sept. 1908. Ansd.

Petitioner's Exhibit 1112.

10933

G. No. 260.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 23rd, 1908.

To the Parties:

By request of the Lloyd I beg to hand you enclosed
a copy of the proposed Agreement with the Italian
Lines (which is to be considered as confidential) ac- 10934
companied by a Memorandum.

Respectfully,

H. PETERS.

10935

10936

Petitioner's Exhibit 1113.*Commentary*

To the Provisional Agreement regarding steerage business between Italian and North American Ports as discussed at Berlin, September 16th, 1908.

10937

The discussions Director General Ballin and myself had at Berlin with the Commendatore Crespi and Dr. Paratore, representatives of the Italian Lines, between the 14th and 16th September, have been tedious and difficult and several times were on the verge of being broken up owing to the extraordinary demands of the Italian Lines, notwithstanding the fact that their claims from the beginning of the interview were considerably more moderate than they had been at the first meeting.

Enclosing the results of the interview to the parties interested, I beg to state that Mr. Ballin as well as myself are convinced of the fact, that this is only a compromise which will be satisfactory to none of the Lines. It must, however, be left to further definite settlement, to what extent the paragraphs can be improved upon.

I beg to add the following in way of explanation:

10938

In order to find a way for proper discussion of all the questions, involving various points of interest, we have been discriminating between the direct and indirect Lines interested in the Italian trade, and the Lines which call at Italian harbours only in the way of intermediate ports. Endeavoring to bring about an understanding between the Lines interested in the direct Italian business, we have based our discussions on the Florence propositions already dealt with in Paris which as known aim at a distribution of all steeragers in proportion to the number of berths, this being the fairest form of division. Having in the beginning principally agreed to this, the Italian Lines later on while we were fixing the number of sailings, claimed 8

sailings for each of the steamers belonging to the new Steam Ship Lines (Italia, Lloyd Italiano, Lloyd Sabauda, Siculo Americana) this making a total of 166 sailings even if we would have declined the proposition of the Italian Lines to increase the sailings of the Navigazione and Veloce, while the other Lines except the Trasatlantica Espanola, in accordance with the Maximum number of sailings of the last three years, would have been entitled to only 152 sailings. Finally the Italian Lines agreed to fix the Maximum number of their sailings to 150, if the rest of the Lines would confine themselves to the equal number.

While going over the number of berths of each steamer, we found out that the Italian Lines would enter the Pool with a much higher number of berths than the other Lines, which can be seen by the fact that the number of berths of the Italian steamers in question is about 50,000, while the steamers of the other Lines own only about 40,000 berths. This would result in a considerably higher percentage than 50% for the Italian Lines if the Agreement was worked on the aforementioned basis. Here, however, has to be added that at a time of decreasing business, we could duly reckon with a greater reduction of sailings on the part of the Italian Lines, than this would prove necessary with the other Lines, these latter owing to their cabin business, being to a higher degree prevented from reducing their sailings.

On the other hand, however, it had to be taken into consideration that the Italian Lines would earnestly strive to complete their sailings in order to participate a share as high as possible of the steerage traffic; consequently we deemed it more advisable to waive the idea of a Pool worked out on the number of berths and reach an understanding with the Italian Lines on the percentage basis.

10940

10941

Petitioner's Exhibit 1:13

10942

According to the number figured out to the present, an allotment of 50% for each of the two groups seemed fair to us. The Italian Lines, however, repeatedly put forward their claim of a minimum share of 55%, adding that they would yield to a share of 50% only under the conditions that a pool should be fixed for a term not exceeding one year, they not being authorized to sign a contract for a longer period.

10943

Now a share of 50% of the Lines interested in the Italian direct traffic viz. the English and German Lines, and the Fabre Line, would involve a loss of 21.50% figured on the average traffic of the years 1905, 1906 and 1907, westbound, and a loss of 30% on the average of the same years eastbound. But it must not be overlooked that there have been not less than four new Italian Lines coming into competition, which, no doubt in the course of next year would have gained their share, so that an allotment of 50% nearly corresponds with what the Italian Lines would have gained if we had not come to an understanding. In any case, this share seemed to us more favorable than a berths division as per the Florence propositions, for what we are losing, we shall probably gain westbound, by paying lower commissions, eastbound, by quoting higher rates; besides with the help of the Italian Lines we might be able to raise our westbound rates.

10944

With regard to the indirect Lines and the Lines calling at Italian harbours only in the way of intermediate ports, Mr. Ballin and myself were of the opinion that each Line should be granted a share corresponding with the three years average of 1905, 1906 and 1907, to which the Italian Lines strongly objected claiming with a certain right, that the indirect Line should bear the same reduction of their allotment as the direct Lines.

In order to bring about a provisional Agreement it was necessary for us to fall in with the views taken

by the Italian Lines, it being left to further discussions to find out whether the afore mentioned measure might turn out to be disadvantageous for some Lines, and how to avoid any unfairness; for instance, the Cunard and the Austro Americana Steam Ship Cos. started their services only in 1905 and consequently did very small business this year, so that on three years average to a certain extent an unfairness is evident. So that at the next Conference Meeting will have to be shown to what extent the shares can be improved; at any rate, at the last interview, we did not fail to point out to the Italians that this question had to be taken up again.

10946

The third question dealt with the stipulation that the Italian Lines should keep away from Continental business, the other Lines to give up Italian business. Considering that also the Lines so far not represented in the Italian trade must wish to have their continental business safeguarded against invasion of the Italian Lines, they should feel obliged to bring about by their consent the desired Agreement. As mentioned before the contract has been closed for only one year, or to be more correct, until the 31st December 1909, a special stipulation to be made for the remaining three months of the current year, as for this short period a reasonable working of the Pool could not be expected.

10947

In order to avoid unjust payment we have stipulated that none of the parties should pay an amount of money higher than the value of the berths carried vacant.

It has no doubt, been one of the most important questions, dealt with at our interview to resolve how to act in regard to the disqualification of agents; for the Italian Lines, claiming that this disqualification should be cancelled, could hardly be refused, as there was no single Line but a big combine of several Lines, uniting in this demand, which combine, we are to make

Petitioner's Exhibit 1113

10948

a contract with, and which surely, will protect the agents which have stood by them.

The contract I dare say, cannot be definitely signed, without the Non-Italian Lines interested in the Italian trade (Anchor Line, Fabre Line, Hamburg-Amerika Linie, Norddeutscher Lloyd, White Star Line) making amongst themselves an Agreement as to the division of their share of the traffic. For good and all it seemed to be advisable to go back to the Florence propositions which represent the most just division.

10949

Also the fixing of the numbers of sailings for this group I daresay is absolutely necessary if we do not want to run the risk that the considerable enfeebling of the Italian business caused by the invasion of the Italian Lines will be carried further by the Italian Lines increasing their sailings. On the other hand, it would not be advisable for any of the interested Lines to make an Agreement with the Italian Lines without such a clause.

The draft of an Agreement in the aforementioned sense, I shall mail to the parties within a few days. Also the interested parties will in the course of this week be in receipt of a draft of the Agreement that has to be made with the Italian Lines by the single groups.

10950

Finally I have to remark that the Italian Lines consider it extremely important that the conclusion of the whole Agreement should not become public, but kept secret for the reason that according to Italian law Pool Agreements are forbidden.

(Sigd.) WIEGAND.

Petitioner's Exhibit 1114.

10951

Between the Undersigned

Director General A. Ballin and Director General Dr. H. Wiegand, on behalf of the Continental and British Lines, and

Commendatore A. Crespi and Dr. Paratore, on behalf of the Italian Lines, the following basis for a contract regulating the Italian steerage business has been agreed upon.

The contracting parties to endeavor to obtain the consent of the other Lines interested, and to have the final agreement signed before the 29th September.

Art. 1.

10952

Traffic covered by this Contract.

The traffic covered by this contract comprises:

a) All emigrants (third class) embarking at Italian and subsequent ports of call for the United States and /or Canadian ports, irrespective of their nationality.

b) All third class passengers (immigrants) embarking at ports of the United States and /or Canada for Italian ports or previous ports of call, irrespective of their final destination.

c) All Italian or Oriental emigrants embarking at Cherbourg or Havre for ports of the United States and /or Canada.

d) All third class passengers landed at Cherbourg or Havre, who proceed to Italy or the Orient or who are booked through to such destination.

10953

Under the term "Orient" is understood Greece, Asia and Africa.

Art. 2.*Parties to this Contract.*

The following parties are interested in the traffic:

A) The Italian Companies (Navigazione Generale Italiana, La Veloce, Lloyd Italiano, Italia, Lloyd Sabauda, Sicula Americana).

10954

Petitioner's Exhibit 1114

B) The direct non-Italian Lines (Hamburg American Line, North German Lloyd, White Star Line, Anchor Line, Fabre Line).

C) The indirect non-Italian Lines (Cie. Gle. Transatlantique, American Line, White Star Line).

D) Non-Italian Lines calling at Italian ports as intermediate ports (Cunard Line Austro Americana).

E) The Compania Trasatlantica Espanola.

Art. 3.

General Conditions.

10955 The Contract to be agreed upon (Italian Pool Contract) shall be concluded between Group A and B. The traffic of groups C and D shall be regulated by separate Contracts, providing certain Pool shares. The question of the relation of the contracting parties to the Cie. Trasatlantica Espanola is left open.

The following conditions respecting duration, mode of accounts, compensation, regulation of rates, delivery of statistics etc., shall also apply to the supplementary contracts.

Art. 4.

Contract with Group C.

10956 The share of the indirect non-Italian Lines in the Italian steerage traffic shall be fixed in the percentages of the whole traffic as per Art. 1, including only such passengers of the Cie. Gle. Transatlantique, the American Line and the White Star Line, as described by Art. 1, C and D.

The shares of the Cie. Gle. Transatlantique, westbound and eastbound, and of the American Line and White Star Line, as a whole, eastbound, shall be fixed as follows:

It shall be determined by which proportion the shares of the Lines named under Art. 2 B in the Italian traf-

Petitioner's Exhibit 1114

10957

fic have been reduced under this contract in favour of the Italian Companies, as compared with the share the said Lines had in the same traffic during the last three years. The share of the Cie. Gle. Transatlantique as well as that of the American Line and White Star Line, shall represent their average share of business during the last three years reduced in the same proportion as that of the Lines named under Art. 2B.

These percentages will be approximately as follows:

For the Cie. Gle. Transatlantique Westbound 10.05%

For the Cie. Gel. Transatlantique Eastbound 8.35%

For the American Line and White Star Line

(Channel Services) combined, Eastbound 4.53%

10958

Art. 5.

*Relation of the Parties of the Main Contract to
Group D.*

The percentages to be agreed upon shall be based on the total Italian Immigration traffic, as described in Art. 1 B and D.

The percentages for the Cunard S.S. Co. and the Austro Americana shall be fixed as follows:

It shall be determined by which proportion the share of the Lines named under Art. 2 B in the Italian traffic has been reduced under this Contract in favour of the Italian Companies, as compared with the share the said Lines had in the same traffic during the last three years. The shares of the Cunard S. S. Co. and of the Austro Americana shall represent their average share of business during the last three years reduced in the same proportion as that of the Lines named under Art. 2 B.

10959

These percentages will be approximately as follows:

For the Cunard S. S. Co. Eastbound 4.41%

For the Austro Americana Eastbound 2.53%

These percentages are understood for a minimum of 26 sailings per calendar year for each Line. For

Petitioner's Exhibit 1114

10960

each departure less than 26 the share of the respective Line will be reduced by 1/26th only such sailings to be counted which include steerage passengers landed at Italian ports.

Art. 6.

Main Contract.

10961

The Main Contract shall regulate the relations between the Italian Lines (Navigazione Generale Italiana, La Veloce, Lloyd Italiano, Italio Lloyd Sabaudo, Sicola Americana) and the direct non-Italian Lines (Hamburg American Line, North German Lloyd, White Star Line, Anchor Line, and Fabre Line) so that both parties participate in equal parts in the total traffic covered by this contract which remains after deduction of the shares accruing to groups C and D, as well as of the traffic of the *Compania Transatlantica Espanola*. The above parties shall also participate in equal parts in all payments to be made to the groups C and D, or to be received from same.

10962

The share of 50%, eastbound and westbound, for each group is based upon a minimum number of 120 sailings by each group during a calendar year in each direction. If the number of sailings of a group is less than 120 a year the share of such group, eastbound or westbound, as the case may be, will be reduced in favour of the other group by 1/120th, for each sailing below this number.

All statistics and accounts to be based upon the number of souls.

Eastbound and westbound accounts to be kept separately. Each calendar year to form a period in itself. The Secretary is, however, to render regular monthly accounts giving the transportation of the Lines and showing the position of the groups versus each other. The groups shall send to the Secretary weekly the statistics of the passengers carried by them.

The first period shall comprise the time from October 1st to December 31st 08. For this period, a party can only claim to receive compensation for a number of passengers corresponding to the number of their vacant berths.

F. e. if group B has to compensate group A under this Contract for an excess of 5000 passengers, whilst group A had altogether not more than 500 vacant berths, compensation shall only be paid on 500 passengers.

Each group is held to carry, as nearly as possible, the share allotted to it. For this purpose, the group having exceeded their share is bound to bring about an adjustment so far as practicable. The measures to be adopted are left to the discretion of the respective group.

10964

The group in excess, shall pay to the group being short a sum of 110 Lires for each passenger (soul) carried in excess of their share.

In case of differences of opinion between the two groups, each group has to name an arbitrator of theirs. Both arbitrators will appoint one of the following gentlemen as Umpire:

Dr. jur. Hansen

Mr. Henry Wilding

Commendatore Weil.

10965

If the arbitrators cannot agree among themselves as to the selection of one of these gentlemen, the Umpire will be selected by lot.

Art. 7.

It is proposed to approach the Compania Trasatlantica Espanola with a view to come to an agreement with that Line respecting rates and commissions, at the same time limiting them to their present number of sailings.

Art. 8.

The minimum second class rate from and to Italian ports shall be 325 Lires (or \$65) including a commission not exceeding 25 Lires. Passengers booked at less than these rates shall be accounted for under the Pool.

Art. 9.

10967 Commission to sub-agents on westbound steerage business shall not exceed 15 Lires per adult. Apart from this, the stipulations of article 20 of the Florentine draft of Agreement shall be applied (5 Lires extra commission to general agents.)

Art. 10.

The prepaid rate shall be equivalent to the highest cash rate of the issuing Company at the time being.

The Lines bind themselves not to issue Blank Pre-pays nor to honour prepaid tickets on which the name of the passenger has been substituted by another one.

Art. 11.

10968 The Lines having direct services from Italy bind themselves not to attempt to book Continental passengers, neither eastbound nor westbound, and more particularly not to quote any special rates and/or commissions for such business. On the other hand, the indirect Continental and British Lines parties to this Agreement undertake not to endeavor to book Italian steerage passengers eastbound or westbound, nor to quote special rates and/or commissions for such business, except as otherwise agreed upon in this Contract. (Art. 4)

The other parties to the Atlantic Conference will assume a similar obligation.

Petitioner's Exhibit 1114

10969

Art. 12.

Upon the enforcement of the proposed Contract the agents disqualified on account of the previously existing difference between the two groups shall be reinstated.

Art. 13.

It is proposed to appoint Mr. Bonnemann as Secretary.

Art. 14.

As a guarantee for the fulfilment of the obligations arising under this Contract, each Line shall give a Bank Security to the amount of 125,000 Lires.

10970

Art. 15.

The Conference which shall decide upon the acceptance of the above propositions shall be held on September 29th. In the meanwhile rates for eastbound Italian business will be advanced to \$25 with \$2 Commission, and the Continental eastbound rate of the Italian Lines to \$28 less \$2 Commission, basis Fiume/Triest.

Art. 16.

The Contract shall be concluded for the period from October 1st 1908 to the 31st of December 1909, and shall continue thereafter from year to year unless three months previous notice be given by either party.

10971

Berlin, September 16th 1908

for Mr. A. Ballin

(signed) WIEGAND

(signed) ECKER,

(signed) CRESPI

(signed) AD. STORM

(signed) PARATORE.

10972

Petitioner's Exhibit 1115.*Agenda*

of the Meeting in Berlin, Hotel Kaiserhof, September 29th, 1908, 10 A. M.

1) Cunard Lines' Fiume service & Atlantic Conference (G. No. 255).

2) Russasiatic, whether member to Atlantic Conference or under separate Agreement (G. No. 257).

10973 3) Prepaids of the Russasiatic from Rotterdam (G. No. 259).

4) Prepaids of Russian Volunteer Fleet by Russasiatic (G. No. 258, 252).

5) Art. 4 of the Agreement with Russasiatic (G. No. 258, 252).

6) Situation with reference to Scandinavian American Line.

7) Compensation of passengers forwarded at fighting rate by S. S. Lützow, April 30th.

8) Headtax quoted separately (Minute 15 of Paris Meeting).

10974 9) Proposed Agreements on Mediterranean business.

Jena, 25th September, 1908.

Petitioner's Exhibit 1116.

10975

G. No. 260.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 25, 1908.

To the Parties:

Lloyd wired me as follows:

"Information that Fabre accepted meeting 10976
29th is a mistake. Meeting cannot take place
on the 29th. Fabre require according to a let-
ter mailed yesterday Marseille some further
explanations before accepting meeting. Hope
that Conference will be delayed for a few days
only."

I informed the Lines hereof at once by wire:
Respectfully,

10977

10978

Petitioner's Exhibit 1117.

A

G. No. 261.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 29th, 1908.

To the Parties:

10979

Russian Eastasiatic's Prepaids from Rotterdam
(G. No. 259).

With reference to the question of a compensation for the Holland-America Line if they take charge of the Russian Eastasiatic's prepaids from Rotterdam several of the Parties have declared that they would not agree to such compensation, this being a matter to be arranged by those two Lines between themselves so much the more so, as the Holland-America Line would have a chance to clear off some of their shortage.

The French Line write:

10980

"Il est certain que c'est la Holland Amerika qui retire le plus d'avantage de l'accord fait avec l'Est Asiatique, puisque cet accord éloigne de Rotterdam un concurrent qui, non seulement faisait baisser le prix des passages en 3ème classe, mais encore celui des passagers de cabine et les frets Il semble donc naturel que la NASM s'entende avec l'Est Asiatique pour lui reprendre ses prepaids sans avoir à demander une compensation."

Respectfully,

Petitioner's Exhibit 1118.

10981

*G. No. 261.**Russian East Asiatics Prepaids from Rotterdam (G.
No. 259.)*

With reference to the question of a compensation for the Holland America Line if they take charge of the Russian East Asiatic's prepaids from Rotterdam, several of the parties have declared that they would not agree to such compensation, this being a matter to be arranged by those two Lines between themselves so much the more so, as the Holland America Line would have a chance to clear off some of their shortage.

10982

The French Line write:

"It is certain that it is the Holland America Line who will have the greatest advantage from the agreement with the East Asiatic, as this agreement removes from Rotterdam a competitor who, not only reduced the 3rd class rate, but also the cabin and the freight rates. It therefore appears natural that Nasm should arrange this matter with the East Asiatic to take charge of their prepaids without claiming a compensation."

Yours truly,

10983

10984

Petitioner's Exhibit 1119.*G. No. 262.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 29th 1908.

To the Parties:

10985

Cabin passengers in the steerage Pool.

There seems to be a difference of opinion as to under which circumstances cabin passengers have to be accounted for in the steerage pool.

One opinion is, that all cabin passengers which have not paid the lowest cabin fare are to be considered as steeragers.

The other opinion is that only such cabin passengers must be pooled which have not paid at least £2.—more than the highest normal third class rate of the respective steamer.

10986

It is a matter of course, that the carrying of cabin passengers at lower than the lowest cabin agreement rates is a breach of these agreements and has to be dealt with accordingly. Neither is there a question about passengers carried under Agreement W. clause 1 f.

The differing views refer only to clause b of the Commentary to Art. 2, reading:

"Intermediate or even cabin passengers are steeragers unless they pay at least the lowest cabin fare as defined in Art. 13."

Art. 13 establishes the lowest cabin fare in two different ways, viz:

Petitioner's Exhibit 1120

10987

- 1) by a second class rate agreement or
- 2) *if there is no second class agreement* by determining that the lowest second cabin rates must be at least £2.— resp. \$10.— higher than the highest normal third class rates of the respective steamer.

The second alternative is not applicable, because there is a second class agreement. The lowest cabin fare as defined in Art. 13 is therefore the rate fixed by this agreement and unless passengers pay at least *this* lowest cabin fare they are steeragers.

10988

If that is not intended it will be necessary to give an authoritative interpretation and I therefore add this question to the Agenda of the next meeting.

Respectfully,

Petitioner's Exhibit 1120.

G. No. 263.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

10989

Jena, September 30th, 1908.

To the Parties:

Italian Lines.

Hapag on 26th inst. had received from New York the following cable:

"Italian agents continue sell outward tickets at low rates, this could not be done without consent or knowledge of general agents."

10990

Petitioner's Exhibit 1120

Hapag had communicated this cable to Mr. Crespi and his reply was:

"Instructions compagnies italiennes New York ont ete si claires et decisives que je dois absolument exclure qu'elles ne soient pas scrupuleusement observees."

Lloyd whom I had informed of the Hapag cable had also wired to Mr. Crespi and received the following reply:

10991

"Nos agents New York telegraphient assurement absolument erronee information Hapag."

Hapag had passed on Mr. Crespi's reply to New York and got the following cable:

10992

"After agreement to advance Italian Lines accepted advices for low rate tickets in large numbers from individual agents and must have known that these were stock-tickets and not *bona fide* sales. These low priced tickets have been used for Piemonte September 24, San Giorgio September 26th and are still being used for Taormina September 30th. Piemonte sailed with 1532 Italians, whilst Slavonia same date only 202. This shows that Cunard Line advanced promptly and did not accept low priced advices whilst Sabaudo did. Same applies for San Giorgio sailed with 1350 Italians and Taormina expecting 1200. Italian Lines having received cable from Crespi are now trying to stop sale low priced tickets as far as practicable. Compania Trasatlantica Barcelona accepted five hundred advices at eleven dollars for Manuel Calvo, October 6th."

Respectfully,

H. PETERS.

Defendants' Exhibit 58.

10993

G. No. 264.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 30th, 1908.

To the Parties:

Russian Eastasiatic Line's Prepaids from Rotterdam.

By request of the Holland-America Line I promulgate their following letter:

"In Sachen der Beförderung ihrer Rotterdamer Prepaids mit unserer Linie schreibt die Russisch-Amerikanische unterm 23. ds.:

10994

'*Unsere Laufenden Prepaids.* Wie in Rotterdam verabredet, sprachen wir mit Herrn Peters wegen der Uebnahme Ihrerseits dieser Passagiere, und er war der Meinung, dass die Sache sämtlichen Linien unterbreitet werden müsse, um festgestellt zu bekommen, wie die Verrechnung zwischen Ihnen und der Konferenz sich arrangieren lasse. Diese Beratung mag vielleicht lange dauern, und da in der Zwischenzeit Passagiere wöchentlich bei Ihnen eintreffen, und befördert werden müssen, gestatten wir uns die Anfrage, ob Sie geneigt wären die Prepaids schon jetzt zu übernehmen und den Verrechnungsmodus später mit der Konferenz zu vereinbaren. Unsere Prepaids betragen:

10995

					Brutto- Passage	Netto
	I/I	I/2	I/O			
I.	Kl.	1	2	0	\$ 150.—	\$ 127.50
II.	"	26	11	2	" 1404.50	" 1196.88
III.	"	381	144	25	" 13611.—	" 11430.96

Defendants' Exhibit 58

10996

und wir erwarten mit Interesse Ihren näheren Bescheid, evtl. telegraphisch, wonach wir Ihnen genaue Listen zugehen lassen werden,' worauf wir wie folgt geantwortet haben:

10997

"In Beantwortung Ihrer gefl. Zunschrift vom 10/23. ds. teilen wir Ihnen mit, dass unsererseits gegen die Uebernahme Ihrer Rotterdamer Prepaids principiell keine Bedenken vorhanden sind. Was die darunter befindlichen Kajütspassagiere anbetrifft, wird ohne weiteres die Beförderung zu einem anderen als unserem regulären Preis jedoch nicht stattfinden können, indem mit Rücksicht auf die bestehenden Kajütsverträge die Zustimmung aller Parteien dazu unbedingt erforderlich wäre.

10998

"Die 3 Cl. Passagiere könnten wir allerdings zu ermässigter Rate übernehmen, weil wir sie aber ev. voll zu compensieren hätten, was selbstredend einen Verlust für uns bedeuten würde, gilt es zuvor festzustellen, ob die Parteien bereit sind sich an diesem Verlust zu beteiligen. Die Angelegenheit steht auf der Tagesordnung einer ursprünglich auf den 29. ds. anberaumten, jetzt aber um einige Tage verschobene Sitzung in Berlin, sodass demnächst die Entscheidung darüber fallen wird. Wegen der Kajütsprepaids werden wir zugleichzeit eine Entscheidung herbeizuführen suchen. Solange dieselben noch ausstehen, möchten wir vorschlagen, dass Sie für Ihre in der Zwischenzeit mit unserer Linie beförderten Prepaids den vollen Fahrpreis an uns entrichten, Auf Grund des Beschlusses der Parteien würde dann ev. später eine Vergütung an Sie stattfinden können.

"Indem wir Sie hiemit einverstanden erachten, zeichnen wir etc.—"

Respectfully,

Petitioner's Exhibit 1121.

10999

G. No. 265.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 30th, 1908.

To the Parties:

Tabling Agreements

11000

I received today the following letter from Dr.
Wiegand:

"At one of the last meetings the British Lines expressed the desire to receive, for their information, copies of our agreements with the Cie. Gle. Transatlantique and the Austro-Americana relating to steerage business. As Chairman of the said meeting I have since been in communication with the above Companies in order to ascertain whether there would be any objection on their part to our tabling these contracts with our British friends, and I now regret to inform you that both Lines seem at present little disposed to give their consent. If the British Lines attach much importance to this matter I am, of course, quite willing to again take up this question with the Cie. Gle. Transatlantique and the Austro-Americana as soon as an opportunity offers. In this case, however, I think it would greatly facilitate the negotiations if I could assure our friends that the British Lines have offered, in return, to table with us the Contracts they have with the Scandinavian American Line as well

11001

11002

Petitioner's Exhibit 1122

as any other contracts they may have, relating to steorage business. Will you, therefore, in communicating the above to the British Lines, make sure whether they would be willing to reciprocate by submitting to the Continental Lines copies of their Contracts."

Will the British Lines oblige me by their reply to the above?

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Reed 2—Oct. 1908 Ansd.

11003

Petitioner's Exhibit 1122.

G. No. 266.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 30th, 1908.

To the Parties:

11004

Hellenic Line

Hapag received the following cable from New York:

"Hellenic Line advertises steamer Moraitis, hence October tenth Naples rate twenty-five dollars, commission five dollars, besides extra commission one to two dollars."

Austro Americana sent me some time ago extract from a letter from their Patras agents of Sept. 10th:

"In reply we have to inform you that as the SS. Moraitis belonged to the Hellenic Trans-

Petitioner's Exhibit 1123

11005

atlantic Steamship Co. Limited, the arrest which was placed on all the other steamers belonging to Mr. Moraitis, was not allowed to be extended to her, and a committee of the principal shareholders undertook the management of the steamer. She has been advertised to sail with the repeated postponements for the last 6/7 days, the position now being that she is advertised to sail from here tomorrow."

The last trip of the "Moraitis" was from New York August 5th with 435 Italian and 371 Greek steeragers.

Respectfully,

11006

Petitioner's Exhibit 1123.

G. No. 267.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 1st, 1908.

To the Parties:

Compensation for fighting rates. (G. No. 249.)

11007

I received the annexed bills for passengers forwarded at fighting rates from:

- 1) White Star Line for SS. Baltic, 16. April
 - 13 adults ex SS. Pretoria 14/4
(cfr. G. 195) at \$7.— \$ 91.—
- 2) Anchor Line for SS. California,
 15. August
 - 163 adults, 5 Chldr. 1 inf. ex SS.
Finland 15/8 (cfr. G. 234)
at \$5.— \$ 827.50

11008

Petitioner's Exhibit 1123

3) Holland-Amerika Linie for SS.
Nieuw Amsterdam 18. Aug.

9 adults, 1 ch., 1 inf. ex SS. Fin-
land 15/8 at \$7.— \$ 66.50

Holland-Amerika Linie for SS.
Noordam 28. July in competition against
SS Jelunga (cfr. G. 220)

412 ad. 72 ch. 36 inf. at \$8.— \$ 3584.—

1019 " 111 " 69 " at \$9.— \$ 9670.50

Holland-Amerika Linie for SS.
Statendam 1st Septr. in competition
against SS. Estonia 2/9

11009

906 ad. 122 ch. 92 inf. at \$7.— \$ 6769.—

\$20090.—

These bills are subject to my verifying them.

The division of the total amount of \$21008.50
gives the following results:

		to pay	to receive
	Allan Line	4.50% \$ 945.38	—
	Anchor Line	3.57% 750.—	\$ 827.50
11010	Cunard Line	13.73% 2884.47	—
	Hamburg-America Line	11.22% 2357.15	—
	Holland-America Line	5.54% 1163.87	20090.—
	Norddeutscher Lloyd	17.07% 3586.15	—
	Red Star Line	7.77% 1632.36	—
	White Star Line	14.07% 2955.90	91.—
	American Line	7.92% 1663.87	—
	Dominion Line	1.36% 285.72	—

Petitioner's Exhibit 1123

11011

Canpac	4.08%	857.15	—
Transat	9.17%	1926.48	—
		<hr/>	<hr/>
	100.00%	\$21008.50	\$21008.50
		<hr/>	<hr/>
The balance is	To pay	To receive	
Allan Line	\$ 945.38		
Anchor Line		\$ 77.50	
Cunard Line	2884.47		
Hamburg-America L.	2357.15		
Holland-America L.		18926.13	
Norddeutscher Lloyd	3586.15		
Red Star Line	1632.36		11012
White Star Line	2864.90		
American Line	1663.87		
Dominion Line	285.72		
Canpac	857.15		
Transat	1926.48		
		<hr/>	<hr/>
	\$19003.63	\$19003.63	

In accordance herewith I would request the Allan Line to pay to the Anchor Line \$77.50 and the rest to the Holland America Line; the other lines will please all remit to the Holland-America Line. *This statement is like the compensation accounts in G. No. 249 subject to the participation of the Austro American Line after their eastbound percentages has been fixed.*

11013

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 5—Oct. 1908 Ansd.

11014

Petitioner's Exhibit 1124.*Annex 1 to G. No. 267, 1/10 08.*

To compensation due S.S. "Baltic" April 16th from New York for carriage of 13 passengers transferred from the "Pretoria" April 11th east, at fighting rates.

13 adults @ compensation of \$7 per adult in accordance with Mr. Ismay's award:

\$91.00

For Ismay, Imrie & Co.

17. 9. 1908.

11015

Petitioner's Exhibit 1125.*Annex 2 to G. 267, 1/10 08.**Holland-America Line**Account*

regarding 9 adults, 1 child and 1 infant, booked for the third class of SS. "Finland" of the Red Star Line, from New York August 15th 1908 and transferred to the Holland-America Line SS. "Nieuw Amsterdam" from New York August 18th 1908.

11016

Regular third class rate	\$32.— per adult
The Red Star Line settled with us for	
the above named passengers at the	
rate of	\$23.— " "
Maximum agreed upon by the Atlantic Conference	
Lines for compensation to the Line whose steamer	
is selected as opposition steamer per adult	\$30.—
Warrate collected from 9 adults, 1 child " "	23.—

Difference per adult \$ 7.—

i. e. for 9 adults, 1 child $9\frac{1}{2} \times \$7.—$ **\$66.50**

Petitioner's Exhibit 1126.

11017

*Annex 3 to G. No. 267, 1/10 08**Account*

regarding 1442 adults, 186 children and 105 infants booked for the Holland-America Line SS. "Noordam" from New York July 28th 1908, selected by the Committee as opposition steamer against SS. "Jelunga" of the New York & Continental Line, from New York July 28th 1908.

Total number of third class passengers on board SS. "Noordam" 1442 adults, 186 children 105 inf. of which 11 adults, 3 children were booked at the regular third class rate in effect for SS. "Noordam."

11018

From the remaining 1431 adults, 183 children, 105 inf. were booked at the warrates fixed for the above sailing at \$22.— 412 adults 72 children 36 inf.

at \$21.— 1019 " 111 " 69 "

Maximum agreed upon by the Atlantic Conference Lines for compensation to the Line whose steamer is selected as opposition steamer against the New York & Continental Line

per adult	\$30.—	per adult	\$30.—
Warrate collected from		Warrate collected from	
412 ad. 72 childr. 36 inf.	\$22.—	1019 ad. 111 childr. 69 inf.	\$21.—
Difference per adult	\$ 8.—	Difference per adult	\$9.—

11019

i. e. for 412 ad. 72 childr. (448 x \$8.—) \$3584.—
 1019 " 111 " (1074½ x \$9.—) "9670.50

\$13254.50

11020

Petitioner's Exhibit 1127.*Annex 4 to G. No. 267, 1/10/08.**Account*

regarding 948 adults, 132 children, 93 infants booked for the Holland-America Line SS. "Statendam," from New York September 1st 1908, selected by the Committee as opposition steamer against SS. "Estonia" of the Russian East Asiatic Steamship Coy. from New York September 2nd 1908.

11021

Total number of third class passengers on board SS. "Statendam" 948 adults, 132 children, 93 inf., of which 42 adults, 10 children, 1 inf., were booked at the regular third class rate in effect for SS. "Statendam."

The remaining 906 adults, 122 children, 92 inf., were booked at the warrate fixed for the above sailing at \$23.—

Maximum agreed upon by the Atlantic Conference Lines for compensation to the Line whose steamer is selected as opposition steamer against the Russian Lines, per adult \$30.—. Warrate collected from the above 906 adults, 122 children, 92 infants, \$23.— Difference per adult \$7.—

11022

i. e. for 906 adults, 122 children $(967 \times \$7.—) =$
\$6769.—

Defendants' Exhibit 59.

11023

G. No. 268.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 1st, 1908.

To the Parties:

Hellenic Line. (G. No. 268.)

Austro send me the following letter of 25th instant
 from their Patras Agent:

11024

"We enclose a further paragraph published
 in the Finanical Chronicle of Athens, on the
 19th inst., *re* The Hellenic Transoceanic Co.,
 demonstrating the spirit in which the late
 transactions are considered.

"Since this publication a meeting of share-
 holders has been held in which it was decided
 to transfer the seat of the company from An-
 dros to Athens.

"Some resolutions were passed suspending
 several members of previous Directorate,
 amongst others the defaulting Managing Di-
 rector, and a new Directorate appointed:

11025

John Eutaxia, Vice-Governor National Bank.

Theod. Retsina, Merchant.

P. Zaimi.

Zaf. Matsa, Managing Director Athens Bank.

Nic. Pappou, Merchant.

Othon Stathato, Shipowner.

Othon Tetenes, Rentier.

"It was reported that the New Directorate
 would propose raising funds to the extent of
 Drs. 5,000,000.— to be in a position to pay for
 steamer now building, but it was not stated by
 loan or by issue of New shares.

11026

Defendants' Exhibit 59

"From other sources we hear that the holders of the shares fraudulently issued, propose taking energetic measures to recover the moneys by them invested or represented by the bogus excess shares. Of these deluded investors we hear of one in Zante who has invested £5000.—another at Corfu £15,000.— and there are a good many in very much the same position."

The article mentioned above in the beginning reads :

11027

"Efforts deserving of all sympathy and encouragement, are being made by the victimized shareholders for the reconstruction of the Company, since Mr. D. G. Moraiti has been declared a bankrupt, the qualifying degree being in the competence of the court of Justice, Mr. D. G. Moraiti being absent from his place of business, and since the astounding disclosures of the abuses committed by him, as managing Director of the 'Transoceanic Hellenic s/s Co.,' with the connivance if not the complicity of his co-directors in the management of the Co.

11028

"Mr. John Eutaxia, with others equally interested, is working sincerely for saving 'Transoceanic' from the annihilation that threatens its existence, the part taken by the Vice-Governor of the National Bank in the saving of the wreck, affords the safest guarantee that the efforts being made will be crowned with success, and that from the disastrous wreck will be saved all that is possible to be saved, and the Company newly organized on entirely new basis, and with a new personnel, will as another 'Phoenix' emerge from the ashes of the Transoceanic & flourish a new Company, having nothing in common with the old Company, and forgetting the guilty episode.

Defendants' Exhibit 59

11029

"For the success of this desideratum and that the work of the new Company prosper and regain the lost confidence and reputation, it will be necessary to remove all who were in any way connected with the sinister past. The meeting which comes together in the next few days should thank the Directors for their valuable services to the Co., and request them to repose or transfer their acumen and sagacity to the promotion of other interests.

"There are some exceptions in the circle of the Transoceanic, individuals who enjoy the general esteem for their well known rectitude and acknowledged capacity. Amongst these could be selected those who would conscientiously take part as directors. But the late agents, Captains, the pursers, Stewards, Caterers, must all be replaced, as being tainted with the foul atmosphere of the previous regime, which as a decaying body exhales dangerous effluvia, and from a long distance. The clearing out must be complete, and the disinfection thorough.

11030

"By Royal warrant published in the 'Gazette' the first steamer of the 'Transoceanic' the 'Moraiti' has been renamed 'Themistocles.' "

11031

Respectfully,

11032

Petitioner's Exhibit 1304.*G. No. 269.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 2nd, 1908.

To the Parties:

11033

Agreement with Russian Eastasiatic SS. Co.

With reference to G. No. 257 the Red Star Line
 write:

11084

"As to the point raised by you whether the Russian Eastasiatic Co. is to be considered as a party to the Pool, our opinion is for the affirmative and I believe this is expressed in clause 9 of the Agreement. Of course an agreement is needed for the admittance of the Russian Eastasiatic Co. because it is too late for them to sign the agreement A. A. From this it would follow that it is not necessary to keep separate accounts with the Eastasiatic Co. but that they can be included in the statements of the A. C. Lines."

As to the keeping of separate accounts with the Russian Eastasiatic Co. I think it can hardly be dispensed with for the current year, on account of the different periods for which they are running.

Whether the Russasiatic is a party to Agreement A. A. direct or indirect (by separate agreement) is, it seems to me, more a matter of convenience and I incline more for the latter for same reasons.

Petitioner's Exhibit 1304

11035

First I am afraid of the increased difficulty of bringing meetings together and of agreeing on alterations & additions to the AA. agreement, which may be desirable or necessary (Art. 22).

Further, Art. 5 is not applicable to the Russasiatic. They have to make not less than 18 sailings, no difference in what intervals.

Bye-law 10 and clause 4 of the Memo of an Agreement with the Russasiatic may collide.

Generally, if no special advantage is in admitting the Russasiatic as a direct member to the Pool I would consider it preferable to have a separate agreement with them in view of the necessity of the several special clauses for the Russasiatic.

11036

It is from this point of view, that I have drafted the enclosed Agreement, and at the impending meeting the Lines may decide. If their views are different I do not see, what much has to be added to the memo of the Agreement.

Respectfully,

(Stamped): North Atlantic. Received 5/10 1908.
Ackn'd 1908. Answered 1908. Passenger
Conference.

11037

11038

Petitioner's Exhibit 1128.*G. No. 270.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 5th, 1908.

To the Parties:

Jewish Emigration Associations.

11039

Lloyd writes:

"As the Lines know, there exist several associations and institutions, mostly Jewish, who under religious and philanthropic pretexts endeavor to obtain a certain control over the Russian and especially Jewish emigration. These associations, besides their philanthropic feelings, use to have a very keen eye for business. Their policy is to ply out one Line against the other in order to obtain the most favorable conditions and, once in possession of the necessary influence, they will be able to dictate to the Lines the rates they are willing to pay. This would bring the Companies in a position equally disadvantageous and humiliating, and in order to avert the danger we would recommend that a resolution be added to the Atlantic Conference Bye-laws, reading about as follows:

11040

"The Lines bind themselves not to support any persons or associations endeavoring to monopolize the Russian Emigration business

Petitioner's Exhibit 1131

11041

or to obtain a certain control over it, by extending to such persons or associations any financial assistance in the shape of commission, contributions or otherwise, and to have no business intercourse with such persons or associations, directly or indirectly.' "

I have put this point on the agenda of the forthcoming meeting.

Respectfully,

Petitioner's Exhibit 1131.

11042

G. No. 271.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 5th, 1908.

To the Parties:

Westbound Statistic Form 25, No. 27.

11043

The Parties will please note that when correcting the press it has been overlooked that the name of the Cunard steamer, 22nd September from Liverpool is not "Irene" as printed, but "Ivernia."

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 7 Oct. 1908. Ansd.

3
6
8
1

11044

Petitioner's Exhibit 1129.*G. No. 272.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 5th, 1908.

To the Parties:

11045

Russian Emigrants.

Lloyd write:

"Das Kgl. Sächsische Ministerium des Innern schreibt uns unterm 30.v.Mts., dass wegen Cholera-gefahr der Eintritt von Auswanderern aus Russland an der sächsisch-österreichischen Grenze nur noch über Bodenbach, Tetschen und Eger gestattet wird. Alle übrigen von Oesterreich nach Sachsen einführenden Eisenbahnlinien seien für *diesen* Auswanderer-
 verk gänzlich gesperrt.

11046

Wir ersuchen Sie höfl., die Linien der Atlantic Conference in Kenntnis zu setzen und dabei die Bitte zu äussern, dass über die Registrirstation Leipzig reisende russische Auswanderer künftighin nur noch über Bodenbach, Tetschen und Eger dirigirt werden."

Will the Lines please cause the needful.

Respectfully,

Petitioner's Exhibit 1130.

11047

*G. No. 272.**Russian Emigrants.*

Lloyd write:

"The Royal Saxon Minister of the Interior writes us under date of 30th ultimo, that, owing to the danger of cholera, emigrants from Russia are allowed to pass the Saxon-Austrian frontier only at Bodenbach, Tetschen and Eger. All other railway Lines from Austria into Saxony are closed for *this* particular traffic.

11048

Kindly advise the Lines of the Atlantic Conference accordingly, and ask them to give instructions to the effect that Russian emigrants travelling via the Register Station Leipzig, are in future directed via Bodenbach, Tetschen and Eger."

Will the Lines please cause the needful.

Yours truly,

11049

11050

Petitioner's Exhibit 1132.*G. No. 273.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 5th, 1908.

To the Parties:

11051

American Transportation Co. (G. No. 161).

The Red Star Line send me a letter from their Basle agent and a cut from a Swiss paper from both of which it appears that on Septr. 21st last the American Transportation Co. (S. Imobersteg manager) have altered their statute and on that occasion changed their name to Slavia A. G. (Slavia dionicko drustvo).

Will the Parties please issue the usual circulars of disqualifications with regard to this firm stating both its names at the same time repeating the firms previously disqualified and send me copies of the circulars.

Respectfully,

11052

H. PETERS.

Petitioner's Exhibit 1133.

11053

G. No. 274.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 5th, 1908.

To the Parties:

Steerages for New York & Continental Line.

11054

The Red Star Line send me a letter from a certain A. Barber c/o Missions to Seamen, dated Rotterdam, October 1st. He informs them, that 40 emigrants for Canada are arrived at Liverpool from Turkey which were intended to sail by the New York & Continental Line. This line no longer being run he inquires if the emigrants could go by one of the Red Star steamers and what would be the rate passage from Liverpool to Antwerp included.

Red Star have replied that they can not take these passengers.

Respectfully,

H. PETERS.

11055

11056

Petitioner's Exhibit 1134.*G. No. 275.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 7th, 1908.

To the Parties:

To the Cabin Agreements.

11057

The Parties have been informed of the following
 telegrams from:

Cunard: 2.10:

"Our Newyork agents cable as follows:
 begins Norddeutscher Lloyd and Hapag are
 offering sub-agents a commission of $7\frac{1}{2}\%$
 on cruises in order to compete Clarks Arabic
 they consider business outside of agreement X.
 Say will only pay 5% on port to port passen-
 gers ends under circumstances we have no op-
 tion but to authorize same course being fol-
 lowed."

11058

Lloyd: 4.10:

"Have very reluctantly followed White Star
 granting $7\frac{1}{2}\%$ commission special Mediter-
 ranean cruise, are quite willing reduce commis-
 sion to five per cent if other lines do likewise
 but must strongly protest against Cunard al-
 lowing more than five per cent on regular busi-
 ness. The commission of $7\frac{1}{2}$ per cent being
 granted only on excursion tickets covering the
 whole tour it cannot in any way affect regular
 business."

Hapag: 5.10:

"By our granting seven and half per cent commission on Moltke's orient cruise regular cabin business is not affected in the slightest degree. On fares from New York to Italy or from New York to Alexandria we only allow five per cent. Cunards Caronia trips cannot be considered cruises. We therefore strongly protest against Cunards allowing more than five per cent commission."

11060

It is on this occasion, that Transat write:

"Nous avons bien reçu votre dépêche au sujet des commissions allouées sur les passages de cabine.

Il avait été décidé qu'une révision des agents pouvant recevoir plus de 5% serait faite, et la commission, suivant l'article 58 du protocole de la Conférence de Paris, n'a pas pu aboutir.

Nous protestons vivement contre l'allocation de 7½% à une quantité énorme d'agents avec lesquels les lignes anglaises, et en particulier la Cunard, sont en relations. Dans la liste qui a été fournie par cette dernière compagnie figurent des banques ou agences de touristes avec lesquelles les autres compagnies sont aussi en relations et auxquelles, se renfermant dans les termes de l'agreement, elles n'accordent que 5%. Nous vous donnons comme exemple M.M. Lemont & Cie à Rome- avec- lesquels nous faisons des affaires depuis plus de 15 ans et auxquels nous n'avons jamais alloué plus de 5% commission.

11061

11062

Petitioner's Exhibit 1135

Si les Parties ne peuvent pas se mettre d'accord, nous réclamons le droit de donner 7½% à tous les agents avec lesquels nous faisons des affaires et qui sont portés sur les listes des lignes anglaises, ainsi qu'à ceux que nous désignerons par la suite."

Perhaps there will be an opportunity at the next meeting for the committee, appointed as per Minute 58, to consider the question of commissions and I shall put it on the Agenda.

Respectfully,

11063

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 10 Oct. 1908. Ansd.

Petitioner's Exhibit 1135.

G. No. 276.

ATLANTIC CONFERENCE.

11064

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 9th, 1908.

To the Parties:

Monthly Statements for September.

I beg to send today the Monthly Statements for the month of September, and in conformity to the Summary have to request the Parties for the following payments being made:

Petitioner's Exhibit 1137

11065

Allan Line to Continental Lines	£ 907
“ “ to Donaldson Lines	“ 96
Anchor Line to Continental Lines	“ 1079
White Star Line to Continental Lines	£ 5427
“ “ “ to American Line	“ 1421
“ “ “ to Dominion Line	“ 2208
Cunard Line to Continental Lines	“ 7008
Can. Pac. Ry. Co. to Continental Lines	“ 1796

Checks to the Continental Lines the respective Parties will please send to me.

The Parties will please inform me when the payments have been made or received.

11066

Respectfully,

Petitioner's Exhibit 1137.

G. No. 277.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
“Secretair,” Jena.

Jena, October 10th, 1908.

11067

To the Parties:

*Atlantic Conference & Russian East-Asiatic S. S. Co.
Payments for September.*

According to Monthly Adjustment-Statements Form 35, No. 1, the Atlantic Conference have to receive from the Russian East-Asiatic S. S. Co. the following amounts:

11068

Petitioner's Exhibit 1138

N.D.L.V. Lines	£.944
Allan Line	" 70
Anchor Line	" 71
American Line	" 153
Dominion Line	" 43
White Star Line	" 255
Cunard Line	" 275
Can. Pac. Ry. Co.	" 61

I inform the Russian Line to pay the amounts to the different Lines, and request the Parties to inform me when the amounts have been received.

11069

Respectfully,

H. PETERS.

Petitioner's Exhibit 1138.
Memo.

It is observed that the Russian East Asiatic Company have not as yet remitted the compensation payments for the month of September, although these amounts were due on the 27th instant.

11070

29.10.08.

Petitioner's Exhibit 1136.

11071

G. No. 277.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 10th, 1908.

To the Parties:

Atlantic Conference & Russian East-Asiatic S. S. Co.
Payments for September.

11072

According to Monthly Adjustment-Statements Form 35, No. 1, the Atlantic Conference have to receive from the Russian East-Asiatic S. S. Co. the following amounts:

N.D.L.V. Lines	£.944
Allan Line	" 70
Anchor Line	" 71
American Line	" 153
Dominion Line	" 43
White Star Line	" 255
Cunard Line	" 275
Can. Pac. Ry. Co.	" 61

11073

I inform the Russian Line to pay the amounts to the different Lines, and request the Parties to inform me when the amounts have been received.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 13 Oct., 1908. Ansd.

11074

Petitioner's Exhibit 1139.*G. No. 278.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, Oct. 10th, 1908.

To the Parties:

Meetings.

11075

The Parties have been informed that the proposed Meeting at Paris on 21st inst. has been agreed to by all the Lines interested. I shall be obliged if the A. C. Lines will inform me of any items, which they want to have added to the Agenda. The meeting is to be held at the Grand Hotel 10 A. M.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 12 Oct. 1908. Ansd. 13/

11076

Petitioner's Exhibit 1140.

11077

G. No. 279.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 12th, 1908.

To the Parties:

Mediterranean Business.

The Parties are informed that the Anchor Line

11078

"desires Lines take note we claim compensation any loss sustained owing adherence uniform rate eastbound Italy so much longer than ever contemplated originally."

In a subsequent letter to Secretary Smyth they say:

"When we originally agreed to this uniform rate it was never contemplated that the meeting would be so long delayed, and if blame for these delays can be attributed to anyone, it certainly cannot to us.

"It must be obvious that the fast steamers are deriving the entire benefit from the advance in rate, and the slower steamers experience a serious loss which it would be unfair to ask or expect them alone to bear in the general interests."

11079

Today I received the following letter from the Cunard Line:

"We have received from Secretary Smyth copy of communication from the Anchor Line, dated Glasgow 6th inst. in which they intimate their intention to claim compensation for

Petitioner's Exhibit 1140

11080

any loss sustained owing to the maintenance of the uniform rate of \$25 from Newyork to Italy over the prolonged period due to the repeated postponement of the proposed meeting of the various Lines. When we agreed to the adoption of the rate in question, we suggested that any agreement come to, should be retrospective and of course we had in mind in making this suggestion the reason which is now advanced by the Anchor Line. We therefore entirely associate ourselves with the position taken up by the Anchor Line."

11081

With reference to the claim of the Anchor Line the only Line having expressed their views so far are Hapag:

"Regret cannot assent Anchors proposal to grant them pool compensation on account their adhering uniform rate. The delay is indeed partly caused by Anchor themselves being the only party declaring it would not attend conference without Fabre."

I have been asked to enter the claim of the Anchor Line on the agenda of the meeting on 21st inst. and further

11082

"The question *re* position of Cunard Line and Austro Americana Line in relation to west-bound Italian proposed agreement."

which shall be done.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 14 Oct. 1908. Ansd.

Petitioner's Exhibit 1141.

11083

G. No. 280.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 12th, 1908.

To the Parties:

Mediterranean Business.

11084

On Saturday 10th inst. I received the following telegrams from:

1) Transat:

"New York cable en attendant resultats negotiations conference propose augmenter trois dollars prix eastbound Italie pour lignes rapides Transat, American, Cunard, White Star, Lloyd Fabre Veloce. Autres gardent taux 25 dollars cablez si pouvons consentir. Fin. Accepterons proposition si tous navires cotes 185 liras ou plus par commissariat italien augmentent, egalment pour Italiens, Orientaux et Continentaux."

11085

2) Secretary Smyth:

"Following cable received from New York Lines begins in view no decision negotiations abroad at meeting today Italian Lines, Anchor, Cunard claim free after October 15 demand higher rates fast steamers. Majority meeting favour for sailings balance October fast steamers 28 dollars slow 25 dollars for November, fast steamers 33 dollars others 30 dollars must

11086

Petitioner's Exhibit 1141

be some decision tomorrow reply at once.
Ends."

3) Secretary Smyth:

"My wire today Italian business Cunard, Anchor have cabled New York begins that do not approve raising rates pending meeting definitely fixed Paris 21st October."

4) Austro:

11087

"Agree for balance October fast steamers 28 including Transat, American slow 25 November 33 and 30 leaving New York agents determinate discrimination steamers."

5) Red Star:

"Telegrams received. Question concerns more Lines interested in Italian business."

6) Crespi:

"Thanks for wire. Sorry refusal English Lines growth (? advance) rates fast steamers. We trust all may be defined Paris."

The question being decided by telegram 3 I did not consider necessary to wire the replies 4 to 6.

11088

Respectfully,

Petitioner's Exhibit 1142.

11089

G. No. 281.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 13th, 1908.

To the Parties:

Russian Lines' Prepays.

11090

I had informed the Russasiatic that the Holland-America Line had declined to take their Rotterdam prepays at less than their own regular rate, and that the Pool lines were not disposed to allow a compensation. To this the Russasiatic reply: (Translation.)

"We are surprised to learn of the attitude occupied by the Pool lines as it was for us a matter going without saying that the Holland-America Line would effect the carrying of our prepays as well as of those of the Russian Volunteer Fleet at the net rate at which they had been booked, or we could impossibly have agreed to our not calling at Rotterdam on the outward trip and granting the Holland-America Line all the advantages derived from it.

11091

"As to the Volunteer Fleet they have requested us some days ago for a definite reply with regard to their Libau and Rotterdam prepays and have categorically repeated their threat to put own steamers on the berth for the route. Giving way to pressure on the part of the Government which supports the Volunteer Fleet we have agreed to carry all the prepays

11092

Defendants' Exhibit 60

of the Volunteer Fleet at the net rates at which they are booked. The exact number at present is:

from Libau 437/1, 227/2, 12/0

" Rotterdam 101/1, 41/2, 3/0

"The net rate is about 52 Roubles, resp. 41 Roubles.

"We are now in communication with our Board on this subject and shall revert to it."

Respectfully,

H. PETERS.

11093

Defendants' Exhibit 60.

G. No. 282.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 14th, 1908.

11094

To the Parties:

S. S. Moraitis. (G. No. 268)

Hapag received a cable that the steamer, "M o r a i-
 t i s" which sailed from New York on 10th instant
 got 800 passengers.

Respectfully,

Petitioner's Exhibit 1143.

11095

G. No. 283.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretiar," Jena.

Jena, October 16th, 1908.

To the Parties:

Change in rates.

11096

The Russian East Asiatic SS Co inform me that
 they have to-day advanced their Libau prepaid rate to
 \$40 including lodging at Libau and headtax.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 19 Oct. 1908. Ansd.

Petitioner's Exhibit 1144.

11097

*Agenda**of the Meeting in Paris, Grand Hotel**21st October 1908. 10 a. m.*

(1) Cunard Line's Fiume service westbound & Atlantic Conference. (G. No. 255.)

(2) Russiasitic, whether member to Atlantic Conference or under separate Agreement. (G. No. 269, 257.)

Petitioner's Exhibit 1144

11098

(3) Prepaids of Russian Volunteer Fleet by Russasiatic. (G. No. 258, 252.)

(4) Art. 4 of the Agreement with the Russasiatic. (G. No. 258, 252.)

(5) Situation with reference to Scandinavian American Line.

(6) To consider a report that Scandinavian passengers have been forwarded via Hamburg.

(7) Compensation for passengers forwarded of fighting rates by S. S. Lützow, April 30th.

11099

(8) Headtax quoted separately. (Minute 15 of Paris Meeting.)

(9) Jewish emigration associations. (G. No. 270.)

(10) Under which circumstances are cabin passengers to be pooled? (G. No. 262.)

(11) Agents receiving more than 5% on cabin tickets. (Minute 58, G. No. 275.)

(12) Proposed Agreements on Mediterranean business. (G. No. 260.)

11100

(13) Question *re* position of Cunard & Austro American Lines in relation to westbound Italian proposed Agreement. (G. No. 279.)

(14) Anchor Line's intention of claiming compensation for any loss sustained owing to the maintenance of a uniform rate from New York to Italy in view of the meeting in reference to Italian business being so long delayed. (G. No. 279.)

Jena, 14th October, 1908.

Defendants' Exhibit 61.

11101

G. No. 284.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, den 26 October, 1908.

To the Parties:

At the request of some parties I herewith beg to hand copy of the Minutes of the last meeting in Paris. Printed copies of them as edited in connection with the last London Minutes will follow shortly.

Respectfully,

11102

H. PETERS.

Petitioner's Exhibit 1145.*G. No. 285.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 27th, 1908.

11103

To the Parties:

Enclosed I beg to send copies of the Agreement with the Russian Eastasiatic S. S. Co. embodying the alterations as proposed by the committee. *If no objection received until end of this week* I shall send copies to Russian Eastasiatic S. S. Co. for signature.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
 Recd. 30 Oct., 1908. Ansd.

11104

Petitioner's Exhibit 1146.*G. No. 286.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 28th, 1908.

To the Parties:

Guarantee of the Canadian Pacific Railway Co.

The following is a copy of the Guarantee which has
 been deposited by the C. P. R.

11105

"Know all men by these presents that the Canadian Pacific Railway Company, a body corporate having its chief office in the City of Montreal, Canada, and the Bank of Montreal, having its head office in the City of Montreal, Canada, hereinafter called the 'Obligors' are held and firmly bound unto the Secretary for the time being of the Conference of Representatives of Trans-Atlantic Steamship Lines, parties to a certain agreement entered into between them on the 5th February, 1908, in the penal sum of four thousand four hundred and ninety pounds (£4,490) to be paid to the said Secretary for the time being for which payment well and truly to be made, the Railway Company and the Bank bind themselves jointly and severally and their respective successors and assigns firmly by these presents.

11106

"Sealed with the Corporate seals of the Railway Company and the Bank, and dated the Sixth day of October, 1908.

"Whereas the Canadian Pacific Railway Company has undertaken certain obligations and bound itself in certain covenants particularly set forth in the above mentioned agreement dated 5th February, 1908.

Petitioner's Exhibit 1146

11107

"Now therefore the conditions of this obligation is such that if the obligors, their respective successors and assigns, or any of them do and shall from time to time and at all times hereafter during the term of the said agreement make payment to the Secretary for the time being of the said Conference of all sums of money awarded against the Railway Company by the arbitrators in any arbitration under Article 24 of said agreement, then this Obligation shall be void, but otherwise shall be and remain in full force and effect.

11108

"Witness the corporate seal of the Canadian Pacific Railway Company and the Bank of Montreal, and the signatures of their respective officials below named."

THE CANADIAN PACIFIC RAILWAY COMPANY.

Shaughnessy,
President.
W. R. Baker,
Secretary.

For the Bank of Montreal.

(Seal.) Signed ?
President.

Witness

11109

J. G. Ogden,
(Seal.)

Executed by the Bank of
Montreal in the presence of
James Smith of Montreal,
Transfer Clerk,
Bank of Montreal.

If no information to the contrary received I take it that this form of the guarantee is considered answering its purpose.

Respectfully,

11110

Petitioner's Exhibit 1305.

G. No. 287.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 29th, 1908.

To the Parties:

Agreement with Russian Eastasiatic Co.

11111

In the Agreement sent with G. No. 285 there is, I am sorry, an omission on page 2 in Art. 3b.

Will the Parties please destroy page 2 and substitute it by the enclosed sheet.

Respectfully,

H. PETERS.

11112

Petitioner's Exhibit 1306.

11113

Agreement B. B.

Art 3.

The Russian Eastasiatic S. S. Co. shall receive as their share in the total transportation of steeragers (souls) in accordance with Art. 1.

a. Westbound 2.50%

of the carryings of:

The Allan Line S. S. Co. Ltd., Glasgow for its United States Services.

The Anchor Line (Henderson Brothers) Lim., 11114
Liverpool.

The Cunard S. S. Co. Lim. Liverpool, their Adriatic service excepted.

The Hamburg Amerikanische Packetfahrt A. G., Hamburg.

The Nederlandsch Amerikaansche Stoomvaart Maatschappij, Rotterdam.

Norddeutscher Lloyd, Bremen.

Societe Anonyme de Navigation Belge Americaine (Red Star Line, Antwerp).

White Star Line.

American Line.

Dominion Line and Russian Eastasiatic S. S. Co., 11115
St. Petersburg.

b. Eastbound 3%

of the carryings of

The Allan Line S. S. Co. Lim. Glasgow, United States & Canadian services.

The Anchor Line (Henderson Brothers) Ltd., Liverpool.

The Cunard S. S. Co. Lim., Liverpool for its Liverpool services and for all non-Italian & Oriental passengers by its Triest-Fiume service.

Petitioner's Exhibit 1306

11116

The Hamburg Amerikanische Packetfahrt A. G.,
Hamburg.

The Nederlandsch Amerikaansche Stoomvaart
Maatschappij, Rotterdam.

Norddeutscher Lloyd, Bremen.

Societe Anonyme Belge Americaine (Red Star Line,
Antwerp).

White Star Line.

American Line.

Dominion Line.

11117

Canadian Pacific Ry. Co. (Atlantic Steamship
Lines) Liverpool services, and Russian Eastasiatic
S. S. Co., St. Petersburg.

Art. 4.

The percentage of the Russian Eastasiatic S. S. Co.
is subject to their effecting both east and westbound
not less than 18 sailings and not more than 24 sail-
ings in a calendar year. For every sailing less than
18 sailings either east or west the percentage shall be
reduced by 1/18th, east or west as the case may be.

11118

Petitioner's Exhibit 1147.

11119

G. No. 288.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena. October 30th, 1908.

To the Parties:

Compensation for fighting rates. (G. No. 267.)

I beg to submit the following accounts for compensation money for passengers carried at fighting rates in accordance with Minute 22.

11120

1) American Line

98 adults by S. S. St. Louis transferred
 from S. S. Zealand August 22nd in
 competition against "Vulturno" at
 \$22, regular rate \$28, compensation \$6
 p. adult = \$588.—

2) Norddeutscher Lloyd.

S. S. Bremen 18th June 08. 427 adults
 26 chld. 15 infants carried in com-
 petition against S. S. "Cherson" (G.
 No. 130) at \$22, regular rate \$28,
 compensation \$6. p. adult = \$2640.—

11121

S. S. Frederick d. Grosse 20th June
 08. 837 ad. 78 ch. 58 inf. carried in
 competition against S. S. "Avoca"
 (G. No. 130) at \$22, regular rate \$28,
 compensation \$6 p. adult = \$5256.—

S. S. Prinz Fried. Wilhelm, 25th June
 08. 1457 ad. 167 ch. 110 inf. carried in
 competition against S. S. "Russia"
 (G. No. 130, 192) at \$22, regular rate
 \$28, compensation \$6 p. adult = \$9243.—

11122

Petitioner's Exhibit 1147

S. S. Barbarossa 27th June 08. 2 adults
 1 chld. 1 infant ex Prinz Fr. Wilhelm
 25th June at \$22, regular rate \$28,
 compensation \$6 p. adult = \$ 15.—

S. S. Bremen 23rd July 08, 1042 adults,
 145 chld. 84 infants carried in com-
 petition against *S. S. "Estonia"* (G.
 No. 203) at \$25, regular rate \$28,
 compensation \$3 p. adult = \$3343.50

\$20497.50

11123

3) Red Star Line.

S. S. Finland August 15, 08, 1012
 adults, 196 chldr., 113 inf. carried in
 competition against *S. S. "Korea"*
 (G. No. 234) at \$23, regular rate \$28,
 compensation \$5 p. adult = \$5550.—

S. S. Zeeland August 22nd, 08, 1051
 adults, 143 chldr. 91 inf. carried in
 competition against *S. S. "Vultorno"*
 (G. No. 242) at \$22, regular rate \$28,
 compensation \$6, p. adult = \$ 6735.—

\$12285.—

11124

These amounts are still subject to my verifying the
 numbers, etc. The total of \$33,370.50 is to be divided
 as follows:

		to pay	to receive
Allan Line	4.50%	\$ 1501.67	
Anchor Line	3.57%	" 1191.33	
Cunard Line	13.73%	" 4581.77	
Hamburg Amerika Linie	11.22%	" 3744.17	

Petitioner's Exhibit 1147

11125

Holland Amerika			
Linie	5.54%	" 1848.73	
Norddeutscher Lloyd	17.07%	" 5696.34	\$20497.50
Red Star Line	7.77%	" 2592.89	" 12285.—
White Star Line	14.07%	" 4695.23	
American Line	7.92%	" 2642.94	" 588.—
Dominion Line	1.36%	" 453.84	
Canpac	4.08%	" 1361.52	
Transat	9.17%	" 3060.07	
		<hr/>	<hr/>
		\$33370.50	\$33370.50

11126

In accordance herewith I request to make following payments:

I. Allan Line	\$ 1501.67	to Norddeutscher Lloyd	
Anchor Line	" 1191.33	"	"
Cunard Line	" 4581.77	"	"
Hamburg			
Amerika L.	" 3744.17	"	"
Holland			
Amerika L.	" 1848.73	"	"
White Star Line	" 1933.49	"	"

\$14801.16

II. White Star Line	\$ 2761.74	to Red Star Line	11127
Dominion Line	" 453.84	" " "	"
Canpac	" 1361.52	" " "	"
Transat	" 3060.07	" " "	"
American Line	" 2054.94	" " "	"
	<hr/>		
	\$ 9692.11		

Austro Americana will take part in these payments after their eastbound percentage has been fixed.

Respectfully,

11128

Petitioner's Exhibit 1307.*G. No. 289.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 3rd, 1908.

To the Parties:

11129

Highest normal third class rate. (Article 13.)

On October 26th I received the following letter
 from Mr. Smyth:

"I am advised by the White Star Line that
 circumstances having arisen necessitating the
 withdrawal of the American Line steamer
 "Noordland" scheduled to sail from Liverpool
 October 29th, for Philadelphia, they are ar-
 ranging to transfer some of the passengers ac-
 tually booked to the 'Arabic' October 30th to
 New York."

11130 This caused me to address the following letter to
 the White Star Line:

"Mr. Smyth informs me that on account of
 the withdrawal of the 'Noordland' October
 29th you are arranging to transfer some of
 her II Class passengers to the 'Arabic' October
 30th.

"The 2nd class rate for the 'Noordland'
 being \$8.10 and the steerage rate for the 'Ara-
 bic' \$7 there is only a difference between the
 two rates of 30sh and I therefore beg to call
 your attention to Art. 13 of Agreement A. A.
 and Clause 2 of Agreement W."

Petitioner's Exhibit 1307

11131

to which the White Star Line replied on 29th October:

"We are in receipt of your letter of the 26th inst. and note your remarks in connection with the transfer of Second Class passengers from the 'Noordland' Oct. 29th to our S. S. 'Arabic' Oct. 30th. The reference you make to there being a difference of but 30/—between the 'Noordland's' Second class rate of \$8.10/— and the third class rate for the 'Arabic' is hardly correct as you will find on reference to Art. 13, Agreement A. A., which you cite, that the *normal* Third class rate is to be taken as a basis. In the present instance the normal Third class rate for the 'Arabic' is £6.10/— which is shown on the schedule of Third class rates agreed to in London last February, and it will therefore be seen that the required differential of £2 as between the Second and Third class rates is maintained."

11132

to which I replied:

"I beg to acknowledge the receipt of your favor of 29th instant and note your remarks. Your application of the term 'normal third class rate' in clause 13 is not, I think, what is intended and I shall therefore have to get an authoritative interpretation of it by the Lines."

11133

The present case is exceptional. The "Noordland" as I learn having been sold, but similar cases may occur in the regular course. It does not concern me if the cabin agreements are complied with but it is my duty to look at Article 2 of Agreement A. A. being acted upon and it is therefore that I ask the parties for their interpretation of the term "*highest normal third class rate*" in Article 13. It needs so much the

11134

Petitioner's Exhibit 1307

more a clear definition as it is to some extent complicated by the circumstances that the head-tax partially is included in the steerage rates, partially is charged extra and that no separate charge is made for cabin passengers.

If no objection I shall put the question on the agenda of the next meeting.

Respectfully,

(Stamped): North Atlantic Received 5/11 1908.
Ackn'd 1908. Answered 1908. Passenger
Conference.

11135

11136

NORTH ATLANTIC PASSENGER CONFERENCE.

THIRD CLASS BUSINESS

May 1st, 1907.

MEMORANDUM of British, Scandinavian, and Finnish Third Class rates, Westbound and Eastbound, as per rate arrangement dated January 14th, 1905, Minutes 373, and as per advances in Westbound rates made at meeting held 5th March, 1907.

WESTBOUND.										EASTBOUND.																		
BRITISH GROSS RATES.										Scand-avian Gross Rates				Finnish Gross Rates				Messrs. WILSONS' North Sea Fares				British		Scand-avian		Finnish		
For United States Business				For Canadian Business				£	Kr	\$	FM	\$	£	FM	\$	£	FM	\$	£	FM	\$	£	FM	\$	£	FM	\$	
Cash	Paid	Cash	Paid	Cash	Paid	Cash	Paid																					Cash
Illan Line, Liverpool—																												
S. S. Victorian, Virginian	6	5	0	31.25	5	15	0	28.75	140	37.50	213	40.50	1	2	3	0	19	6	28.75	32.50	35.50							
S. S. Corsican, Tunisian, Ionian, Parisian	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	27.50	31.00	34.00							
Other Steamers	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	26.50	30.00	33.00							
Illan Line and State Line, Glasgow—																												
Canadian Service	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	27.50	31.00	34.00							
United States Service	5	15	0	28.75	5	5	0	26.25	135	36.00	206	39.00	1	1	9	0	19	0	26.50	30.00	33.00							
American Line Southampton—																												
S. S. St. Paul, St. Louis, New York, Philadelphia	6	10	0	32.50	6	0	0	30.00	145	38.75	220	41.75	1	2	9	1	0	0	30.00	33.75	36.75							
American Line, Liverpool—																												
S. S. Friesland, Haverford, Merion, Noordland, Westernland	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	27.50	31.00	34.00							
Anchor Line—																												
S. S. Caledonia, Columbia	6	5	0	31.25	5	15	0	28.75	135	36.00	206	39.00	1	1	9	0	19	0	27.50	31.00	34.00							
S. S. Astoria, Ethiopia, Furnesia	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	27.50	31.00	34.00							
Canadian Pacific Railway Co. (Atlantic S. S. Lines)																												
S. S. Empress of Britain Empress of Ireland	6	5	0	31.25	5	15	0	28.75	140	37.50	213	40.50	1	2	3	0	19	6	28.75	32.50	35.50							
S. S. Lake Manitoba, Lake Erie, Lake Champlain	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	27.50	31.00	34.00							
Anchor Line—																												
S. S. Campania, Lucania, Caronia, Carnania	6	15	0	33.75	6	5	0	31.25	152	40.50	230	43.50	1	4	3	1	1	6	31.25	35.50	38.50							
S. S. Ivernia, Saxonia	6	10	0	32.50	6	0	0	30.00	145	38.75	220	41.75	1	2	9	1	0	0	30.00	33.75	36.75							
S. S. Umbria, Etruria	6	5	0	31.25	5	15	0	28.75	140	37.50	213	40.50	1	2	3	0	19	6	28.75	32.50	35.50							
S. S. Carpathia—When not carrying Cattle	6	5	0	31.25	5	15	0	28.75	140	37.50	213	40.50	1	2	3	0	19	6	28.75	32.50	35.50							
When carrying Cattle	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	27.50	31.00	34.00							
Dominion Line—																												
S. S. Canada, Dominion, Kensington, Ottawa, Southwark, Vancouver	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	27.50	31.00	34.00							
Donaldson Line—																												
S. S. Cassandra, Athenia	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	26.50	30.00	33.00							
White Star Line—																												
S. S. Oceanic, Baltic, Celtic, Adriatic	6	15	0	33.75	6	5	0	31.25	152	40.50	230	43.50	1	4	3	1	1	6	31.25	35.50	38.50							
S. S. Majestic, Teutonic, Arabic, Canopic, Republic	6	10	0	32.50	6	0	0	30.00	145	38.75	220	41.75	1	2	9	1	0	0	30.00	33.75	36.75							
S. S. Cymric When not carrying Cattle	6	5	0	31.25	5	15	0	28.75	140	37.50	213	40.50	1	2	3	0	19	6	28.75	32.50	35.50							
When carrying Cattle	6	0	0	30.00	5	10	0	27.50	135	36.00	206	39.00	1	1	9	0	19	0	27.50	31.00	34.00							
Scandinavian-American Line—																												
S. S. Oscar II, Hellig Olav, United States									152	40.50	230	43.50																
S. S. C. F. Tietgen									145	38.75	220	41.75																
S. S. Hekla									140	37.50	213	40.50																

*Prepaid from Stockholm \$3.00 higher than above. Cash Rate from Stockholm to be on the basis of above rates from the Agreement Ports plus cost of forwarding to any such ports.

Children 1 year and under 12 years, half fare; Infants under 1 year Cash 20 Krs gross (20/-each net); Infants Prepaid \$5.00.

Infants Eastbound; British, free; Scandinavian and Finnish \$3.00.

The Finska Co's. North Sea Forwarding Rates are the same on all Finnish business to British Lines, viz., on Westbound business £1 16 0; on Eastbound business £1 13 6 per adult.

11140

Defendants' Exhibit 62.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 3rd, 1908.

To Hamburg American Line,
 Norddeutscher Lloyd,
 Anchor Line,
 Austro Americana,
 Cunard Line,
 Cie. Gle. Transatlantique.

11141

Mediterranean Prepaid Business and Rate of Commission.

The White Star Line write:

"We attach herewith extract from letter dated 10th instant respecting the situation as regards commission on Mediterranean prepaid business.

11142

"We may say that this matter we had intended to bring forward at the next general Conference meeting, but, as the matter stands, it seems desirable to take the views of the Lines before the next meeting takes place—the date of which is under discussion—by which time some arrangements may be in view."

The letter reads:

Extract from letter dated 10th November, 1908, from White Star Line, New York to Ismay, Imrie & Co., Passenger Dept., Liverpool.

"We might say that several agents have written asking what commission we will allow in view of the fact that they are receiving from \$3 to \$4 more than the regular commission of

\$2. It is needless for us to repeat what we have written before on this matter. As you know we wrote you several times as to the high commissions paid by a large number, if not the majority, of the Mediterranean Lines on prepaids. In replying you advised us that the matter of payment of extra commission would be discussed at the Paris meeting, but we judge from the particulars you have given us that you were unable to bring up this subject. It seems to us therefore that unless this business can be brought under control, as is the east-bound, it will be necessary for us, in order to secure a share of the prepaid business, to follow the action of our competitors. From reliable information the commissions at present paid on prepaids are as follows:

11144

"Lloyd Sabaudo \$6, Lloyd Italiano \$6, Hamburg \$6, Navigazione \$6, La Veloce \$6, Lloyd Italia \$6, Fabre Line \$5.

"It is rumoured the Anchor Line are also paying extra but this they denied, this leaves practically only the Lloyd and Anchor and ourselves that are maintaining \$2 commission."

I shall be glad to have the views of the parties on the subject.

11145

Respectfully,

11146

Defendants' Exhibit 63.*G. No. 290.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, November 5th, 1908.

To the Parties :

11147 In pursuance of G. No. 284 I herewith beg to send
some printed copies of the minutes of the last Paris
Meeting.

Respectfully,

11148

Defendants' Exhibit 64.

11149

G. No. 291.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, November 9th, 1908

To the Parties:

Monthly Statements for October.

11150

I beg to send today the Monthly Statements for the month of October, and in conformity to the summary have to request the Parties for the following payments being made:

Allan Line to Continental Lines	£ 3340
Anchor Lines to Continental Lines	£ 1095
Anchor Line to Donaldson Line	£ 76
American Line to Continental Lines	£ 1031
American Line to Dominion Line	£ 558
White Star Line to Continental Lines	£ 3017
Canad. Pacific Ry. Co. to Continental Lines ..	£ 5640
Canad. Pacific Ry. Co. to Cunard Line	£ 1664

11151

Amounts to the Continental Lines the respective Parties will please send to me.

The Parties will please inform me when the payments have been made or received.

Respectfully,

(Stamped) : North Atlantic Passenger Conference Received 11/11 1908 Ackn'd 1908 Answered 1908

11152

Petitioner's Exhibit 1308.*G. No. 292.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 9th, 1908.

To the Parties:

Agreement Russian Eastasiatic SS. Co. (G. 287)

11153

Enclosed I beg to hand a proof copy of the Agreement with the Russian Eastasiatic SS. Co., with the alterations as proposed at the last meeting. Any objections to the present tenor I would request to communicate to me at latest till the end of the week, as I intend to send the Agreement to the Russian Eastasiatic SS. Co. on the 16th instant nothing unforeseen happening.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 11/11 1908. Acknow'd. 1908. Ansd.
 1908.

11154

Defendants' Exhibit 65.

11155

G. No. 293.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 12th, 1908.

To the Parties:

Supplement to Minute 87 b.

11156

I herewith beg to send printed copy of the reservation of the C. P. R. in respect to Minute 87 b which I would request to attach to the minutes sent before. As according to Article 25 h Minutes must be signed I beg to request Mr. Smyth to circulate one copy amongst his Lines for signature and to return it to me.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 17 Nov 1908 Ansd.

11157

11158

Petitioner's Exhibit 1148.*G. No. 294.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretiar," Jena.

Jena, November 12th, 1908.

To the Parties:

Communications to the press.

I received today the following letter from the Cunard Line:

11159

"We beg to draw your attention to the fact that reports have recently appeared in the Press drawing attention to the payments which the Cunard Company have been making to the Pool in connection with the Atlantic Conference. We are sure that it will be recognized that it is extremely undesirable that statements of this character, or in any other way connected with the Pool arrangements between the Lines should be made known to the Press. From the fact that the Cunard Company's payment mentioned in the enclosed paragraph is approximately correct, it would seem that the information could only have been made known by someone having access to the Atlantic Conference returns. We do not for one moment suggest that the information has been given by any member of the Atlantic Conference, but think that the publication of the information points to the necessity of the returns, which are absolutely confidential, being regarded as such by all through whose hands they may have to pass."

11160

The report mentioned above has appeared in the Journal of Commerce on November 4th and reads:

THE ATLANTIC PASSENGER POOL.

REPORTED LARGE PAYMENT BY CUNARD COMPANY

Our London correspondent telegraphs:

In the course of an interview with a gentleman holding a big financial position in shipping, I was informed that the Cunard Company, as a result of their agreement with the Atlantic Conference Lines will be called upon to pay £60,000 or £70,000 to the pool out of their profits for the year to make up the percentage of the German Lines. He also is of opinion that before the year is concluded the amount will be up to £80,000. The Cunard have had a good year, whereas, especially in the steerage, the Germans have met up with a slump.

11162

It is of course, only fair to explain that even if this interesting rumor be authentic, it only emphasises the fact that the Cunard Company have had a much better year than the German Lines, the "pool" arrangement meaning that the greater the amount to be paid over by an individual company, the greater the financial success of the Line in question. Having this in view it would seem that each company has an interest in hoping that the sum it must eventually pay into the "pool" shall be as large as possible.

11163

It needs no mention that all reports about Pool and what is in connection therewith may in view of the U. S. laws turn very much to the detriment of all the Parties and is therefore necessary that bye-law 15 should be strictly observed by all concerned in its widest sense.

Respectfully,

11164

Petitioner's Exhibit 1309.*G. No. 296.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretfiar," Jena.

Jena, November 17th, 1908.

To the Parties:

11165

First Class Rates Intermediate Season.

I received the following letter from the White Star Line:

"Will you kindly put on the Agenda for the next Atlantic Conference Meeting '*First Class Rates Intermediate Season.*'"

11166

"In connection with this subject we would point out that in the past when the Agreement minimums were lower in the winter than in the summer, it was the practice of the majority of the Lines to advertise the winter schedule during the period the winter minimum was in force, viz West and East 1st November to 31st March, an intermediate schedule being effective when the higher Summer minimums were charged, westbound from 1st May to approximately 31st July and 15th to 31st October, also Eastbound 1st to 30th April and 15th July to 31st October, the high Summer schedule being in force, Westbound 1st August to 15th October. Eastbound 1st May to 15th July.

"By doing away with the intermediate season in rates and advertising the winter schedule all the year round excepting during the

Petitioner's Exhibit 1309

11167

high rate summer season, the Lines are losing considerable revenue, and we propose the Lines agree to advertise as follows for next year:

"The Highest Summer Season.

"Westbound: 1st August to 15th October.

"Eastbound: 1st May to 15th July.

"The intermediate schedule.

"Westbound: 1st April to 31st July, and 16th October to 31st October.

"Eastbound: 1st April to 30th April, and 15th July to 31st October.

11168

"The Winter schedule.

"Both Westbound and Eastbound for the rest of the year.

"1st November to 31st March.

"It is to be understood that the intermediate schedule be advertised on the basis of half the difference between the Winter and Summer rates."

I have noted the matter for the Agenda.

Respectfully,

(Stamped): North Atlantic Passenger Conference,
Received 19/11-1908, Ackn'd-1908 Answered-1908

11169

11170

Defendants' Exhibit 66.*G. No. 297.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 19th, 1908.

To the Parties:

Change in rates.

The Allan Line advise me under date November
 16th, that they are advancing their Eastbound Conti-
 11171 nental rates by four Dollars.

Respectfully,

Defendants' Exhibit 67.*G. No. 298.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 19th, 1908.

11172 To the Parties:

Cunard Line Adriatic service eastbound.

The Hamburg American Line advise me of a circular dated New York, November 2nd, 1908, by which the Cunard Line advertise that their steamer Carpathia sailing from New York on December 5th, will not carry steerage passengers beyond Naples and that passengers to and via Fiume and Triest must not be booked for this steamer.

Respectfully,

Petitioner's Exhibit 1149.

11173

*G. No. 299.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretiar," Jena.

Jena, November 20th, 1908.

To the Parties:

Arbitration in connection with S. S. Lützow.

11174

Mr. J. Bruce Ismay writes me as follows:

"I am in receipt of your favor of the 10th instant with the statement of the North German Lloyd, on behalf of themselves and the Hamburg American Line, in connection with their claim for compensation for passengers carried from New York at fighting rates, by the Lützow 30th April and the 'President Grant' 2nd May. Before considering the matter, however, I shall be glad to hear if any of the Lines object to pay the compensation claimed, in which case perhaps the Lines in question will submit a counter statement."

11175

In accordance herewith I would request the Lines who do not recognize the claim of the Nordd. Lloyd to send me their counter statements to the statement of the Nordd. Lloyd, a copy of which is enclosed.

Respectfully,

H. PETERS.

p. Rep.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 23 Nov. 1908. Ansd.

11176

Petitioner's Exhibit 1150.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretiar," Jena.

Jena, November 20th, 1908.

To Norddeutscher Lloyd, Hamburg-American Line,
 White Star Line, Anchor Line, Austro American,
 Cie. Gle. Transatlantique.

11177

Mediterranean Business.

Mr. Mearns of the Cunard Line wired me yesterday from Berlin as follows:

"Our New York agents cable stating begins Hapag advertise President Lincoln November 24th third cabin 32 dollars less 3 dollars, third class 30 dollars less 2 dollars, ends. Is this in accordance with Paris understanding kindly wire reply."

I beg to suggest to the parties to let me have their views on the subject.

Respectfully,

11178

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 23 Nov. 1908. Ansd.

Petitioner's Exhibit 1151.

11179

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretiar," Jena.

Jena, November 19th, 1908

To Norddeutscher Lloyd
Hamburg American Line
Cie. Gle. Transatlantique
Austro Americana
White Star Line
Cunard Line

11180

The Anchor Line wish me to circulate their following letter:

"With reference to the temporary rate Agreement effected at Paris last month for Eastbound Italians which has been since extended until end of December, we regret having to report that our New York Agents have advised as follows:

"The present temporary agreement has not been lived up to. We did our best to keep our Competitors up to the letter of the law but the spirit was evaded. The old dodge of stacking up "dummies" at the cheap rates after the advance was announced has been largely resorted to by the Passenger Agents and connived at by the Lines. Practically the "Italia" had to compete with the uniform rate.'

11181

"We need not comment upon this. The remarks of our New York Agents speak for themselves. All we can say is that unless the Lines come quickly to some pooling arrange-

11182

Petitioner's Exhibit 1151

ment, it is evident that a continuance of any temporary Agreement (which some Lines seem to have been evading) will be impossible and the business will soon drift into the same chaotic state as it has been for the past six months and more.

"We may mention that our 'Italia' sailed from New York 4th inst, and had only 287 steerage."

Respectfully,

11183

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 21 Nov. 1908 Ansd.

11184

Defendants' Exhibit 68.

11185

G. No. 300.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 23rd, 1908.

To the Parties:

Separate collection of head-tax.

11186

The Hamburg-American Line write:

"The opinion having been expressed that the Belgian Law placed obstacles in the way of a separate collection of the head-tax, the Nord-deutscher Lloyd and the Hamburg-Amerika Linie made representations on the subject to the Belgian Government. There was indeed an old rule in existence which appeared to be opposed to this. Full details of the present case having been put before the Belgian Government, it has been so extremely obliging, as to withdraw the old rule in question and to declare its consent to a collection of the American head-tax, apart from the fare. His Excellency the Belgian Minister for Foreign Affairs Mr. Davignon caused the following letter to be addressed to our General Agents Messrs Eiffe & Co of Antwerp:

11187

" 'In pursuance of my letter of the 13th of October I beg to inform you that I authorize the Hamburg-Amerika Linie, in future, to deliver under their responsibility to emigrants embarking at Belgian ports, special receipts cer-

Defendants' Exhibit 68

11188

tifying that the tax, prescribed in the United States under the term "head money," was duly paid. This receipt must be handed to the emigrants together with that which entitles to transportation, food and everything as required by the Law of December 14th 1876 and the decree of December 2nd 1905 regarding the carriage of emigrants.'

11189

"In addition to the advantages pointed out by all the New York representatives, the *separate* collection of the headtax has also the further advantage that the M 16. are levied not only for every adult, but also for every child and every infant. By *including* the head-tax in the fare, however, M 8 for every passenger paying half-fare are lost. It is easy to prove by calculation that, even when carryings are small as during the present year, the General Pool would lose for children paying half-fare M 345,216 in a single year; in these circumstances, we would put it to our British friends to consider whether it would be worth while to make in the same way as has been done in Belgium representations to the British Government regarding the separate collection of the head-tax. Perhaps after having obtained knowledge of the position of affairs, the British Government might be disposed to make the same concession as the Belgian Government."

11190

Respectfully,

Defendants' Exhibit 69.

11191

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 23rd, 1908.

Hamburg American Line
 Norddeutscher Lloyd
 Cie. Gen. Transatlantique
 Austro Americana
 Anchor Line
 Cunard Line
 White Star Line:

11192

The Anchor Line write:

"* * * We see little use of continuing the temporary Agreement if, as we are informed, it is ignored in spirit as in letter. We may mention, in continuation of what we wrote you on 17th inst. (see my letter 19th) that our New York Agents advise that one of the Italian steamers had sailed with over 1300 passengers, of whom, they were satisfied, 2/3rds were at the old uniform rate of \$25.00. It is incredible that such a number had been actually booked by our competitor at the lower rate prior to the advance agreed upon at Paris.

11193

"Unless something is done quickly to bring about a Pooling Agreement in the Mediterranean trade, we foresee an early return to war rates both in the Mediterranean and Eastbound Continental business."

Respectfully,

H. PETERS.

p. Rep.

11194

Defendants' Exhibit 70.*G. No. 302.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, November 27th, 1908.

To the Parties:

Russian East-Asiatic S. S. Co.

11195

On November 21st I received remittance from the Russian East-Asiatic S. S. Co. in settlement of their indebtedness to the A. C. Lines for September. This remittance in my opinion is sufficient proof that the doubts which were expressed if the London Agreement of August 25/26 with them could be considered as holding good, are no longer justified.

11196

At the same time they handed in a statement of differences on prepaids forwarded by themselves and by the Holland America Line, and to be paid to them in accordance with Minute 78. They had deducted the amount from several of the checks, and as, besides, the account was not made up correctly I have returned them the checks. When I receive the corrected account, which of course is subject to my later verifying it as to the net rates at which those prepaids have been booked etc., I shall ask the Parties for remittance of their share in it, as also in the balance in favor of the Russian Eastasiatic Co. for October.

Respectfully,

Defendants' Exhibit 71.

11197

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, November 28th, 1908.

To

Hamburg American Line
 Norddeutscher Lloyd
 Anchor Line
 White Star Line
 Austro Americana
 Cunard Line.

11198

In reply to the circular letter of 20th instant the
 Cie. Gle. Transatlantique write :

"La Compagnie Cunard fait observer que
 Hapag publie pour son steamer 'Pres. Lincoln'
 un prix de \$32 en 3me avec une commission de
 \$3.

"Cette classe est encore au-dessus du prix
 minimum qui a été fixé par la Conférence de
 Paris, a \$30 avec une commission de \$2. Mais
 nous sommes étonnés que pour cette classe de
 passagers la Hamburg-Amerika Linie donne
 exactement la même commission que pour un
 passage de seconde, commission qui a été fixée
 par l'agreement W, et qu'elle ne fasse qu'une
 différence de \$1 entre les deux classes."

11199

Respectfully,

H. PETERS.

11200

Defendants' Exhibit 72.*G. No. 304.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 28th, 1908.

To the Parties:

11201

First class rates proposed intermediate Season.

In reply to G. 301 the Cie. Gle. Transatlantique
 write as follows:

"Nous avons bien reçu votre lettre No. 301
 au sujet de l'adoption de trois saisons pour les
 premières classes.

11202

"Les conventions sur les premières et les sec-
 ondes ayant été faites en se basant uniquement
 sur un tarif minimum, il nous parait difficile
 en conséquence de fixer ces trois saisons au-
 trement qu'à titre d'indication, car aien ne
 pourra obliger les compagnies à respecter ces
 saisons d'une façon rigoureuse quispu'elles ne
 se sont engagées que pour un tarif minimum.

"Nous ne demandons cependant pas mieux
 que de nous entendre pour que toutes les com-
 pagnies émettent un tarif qui entrerait en vi-
 gueur à certaines époques de l'année."

The subject has been put down for discussion on
 the meeting of the 3rd December.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 30/11 1908 Ackn'd 1908 Answered
 1908.

Petitioner's Exhibit 1310.

11203

G. No. 305.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, November 28th, 1908.

To the Parties:

Mr. A. Coshilanic-Onishcavich, who was formerly an employee of the Anglo Continentales Reisebureau at Rotterdam, some time ago opened a tourist office in Rotterdam under the name of "Vaterland." Mr. Onishcavich is said to be a relative to a person connected with the Rafealsverein of Galicia by whom he apparently has been encouraged to establish himself. The tourist office being consequently in close connection with the aspirations of the Rafealsverein of Galicia which are to monopolize the business in Galicia, the Continental Lines propose to disqualify the tourist office Vaterland at Rotterdam as working against the interests of the Lines. I shall be glad to hear that the British Lines fall in with the proposal of the Continental Lines.

11204

Respectfully,

11205

11206

Defendants' Exhibit 73.*G. No. 306.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 5th, 1908.

To the Parties:

11207 I herewith beg to send written copies of the Minutes
of the Meeting in Cologne on the 3rd instant; printed
copies will follow within a few days.

Respectfully,

H. PETERS.

11208

Defendants' Exhibit 74.

11209

G. No. 307.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 8th, 1908.

To the Parties:

Norwegian America Line.

I received to-day the following scriptures which
 had been addressed to me at Cologne:

Copy:

11210

5 Duplicates signed

To

The North Atlantic Conference Lines,
 c/Secretary Peters Esq.

Jena

Gentlemen:

The Signatories to the Prospectus of "Den norske Amerikalinje" (The Norwegian America Line) herewith respectfully apply through the Working Committee as representing this Line, that our Company, when fully constituted, may be admitted as a member of The North Atlantic Conference Lines, it being our sincere wish to respect and to work in agreement with all established interests.

11211

The name of Signatories to our Prospectus will prove, that the plan of "Den norske Amerikalinje" is the expression of a strong and legitimate wish among Norwegian representative men and Corporations.

The plan of "Den norske Amerikalinje" embraces a fortnightly route Bergen-New York to be increased to weekly sailings, when the growth of traffic should

11212

Defendants' Exhibit 74

justify this. It is the opinion of the Working Committee that the route must be Trondhjem-Bergen-New York.

"Den norske Amerikalinje" pretends to deserve the designation of and be established as *The National Line*, that is to say: It will employ in its service steamers of a speed of up to 18 knots, and so constructed as to be capable of utilization as auxiliary cruisers and to receive from the Norwegian State both Mailsubsidies and Admiraltycontributions, all as explained in Prospectus submitted.

11213

In this connection is attached an English translation of letters to the Working Committee for "Den norske Amerikalinje" from the Norwegian Postmaster General and from the Admiral in Command with their opinions.

It will be seen, that the Norwegian Authorities view the matter favorably.

Further is added Opinions in English translation, expressed by *all* Norwegian Exchanges and Chambers of Commerce, in which unconditional support is extended to "Den norske Amerikalinje" as a Line of great *National* importance.

11214

Referring to these interests and to the legitimate claims which Norway possesses to participate to a reasonable extent in the advantages and control of its North-American traffic, we give expression to our hope that the present application must be favorably considered.

We take the liberty of attaching a more detailed communication in respect of "Den norske Amerika-linje" as the *National* Line of Norway, as against the division of "Det Forenede Dampskibsselskab" (The United Steamship Co.) of Copenhagen, which was present at the Paris Conference.

Kristiania, November 25th 1908.

Respectfully

Defendants' Exhibit 74

11215

Gez.

Magnus Andersen
Hagb. Waage

E. O. J. Svanöe

S. Stephensen

With power of attorney E. O. J. Svanöe

Trondhjem, November 27th 1908.

Respectfully

Magnus Halvorsen

Adolf Oien

R. With

Bergen, November 30th 1908

Respectfully

A. Vilh. Johannessen.

Adolph Halvorsen

11216

Kristianiá, November 25th, 1908.

5 Duplicates signed

To

The North Atlantic Conference Lines.

c/o Secretary Peters Esq.

Jena.

Gentlemen:

In connection with the respectful application of even date the Working Committee of "Den norske Amerikalinje" (The Norwegian America Line) beg to submit the following further communication respecting "Den norske Amerikalinje" as the Norwegian *National* Line as against the division of "Det Forenede Dampskibsselskab" (The United Steamship Co.) of Copenhagen, present at the Paris Conference.

11217

It will be borne in mind, that negotiations with a view to cooperation with Conference Lines in the American trade were opened in September 1908 with Mr. H. Allan and Lord Pirrie, to both of whom were submitted the Norwegian Prospectus Plan of "Den

Defendants' Exhibit 74

11218

norske Amerikalinje" together with a printed English translation,—our representative drawing special attention to this Prospectus Plan and its chapter re Mail-subsidies and Admiralty contributions, which characterized our line as a *National Line*.

Before these negotiations by our representative were commenced, the Conference in London had already refused the above mentioned division of "Det Forende Dampskibsselskab" to be admitted into the "pool."

11219

The Paris Conference followed shortly afterwards, end of October, but as generally understood this Conference only had for its aim the discussion and settlement of various questions relating to *Mediterranean Lines*.

The division of Det Forenede Dampskibsselskab referred to having been refused admittance just previously at the London Conference, it appeared still more unlikely, that the question should be treated at the Paris Conference.

For these reasons "Den norske Amerikalinje" remained directly unrepresented at the Paris Conference.

11220

In this connection attention is specially drawn to the fact, that the Line, which was preliminarily or conditionally admitted at the Paris Conference, was admitted expressly as a *National Line*, as far as the circumstances are known, that is: as a line similar to the one described in the plan of "Den norske Amerikalinje," whilst the division mentioned of Det Forenede Dampskibsselskab is a pure *commerical line*.

Neither is it well conceivable that the *same* North Atlantic Line, whose application for admittance was refused,—that this very same line should be admitted into the alliance of the Conference Lines at the Paris Conference held immediately afterward.

The above-mentioned division of Det Forende Dampskibsselskab lacks utterly the qualifications

Defendants' Exhibit 74

11221

necessary to become a National Line, or a line qualified to receive mailsubventions and Admiralty contributions from the Norwegian State, as those for this Line intended steamers, for instance S/S "Hellig Olav," now belonging to Det Forenede Dampskibsselskab, will be incapable for maintaining any mail route. Further must every idea of Admiralty-contributions be abandoned in connection with these vessels, as it is well known, that it is the *high speed* which tells in this connection.

Mailsubventions or Admiralty-contribution is therefore entirely out of the question for this Line, which therefore neither is nor can be a *National Line*, but remains to be the very Line, whose admittance was refused at the London Conference medio October.

11222

The Working Committee of "Den norske Amerikalinje" must under these circumstances on behalf of the subscribers to its Prospectus protest against the description of the competing Line as a *National Line* for Norway in any meaning of the word, and this (a National Line) we understand was the condition at the Paris Conference.

Respectfully

signed

Magnus Anderson
Hagb. Waage

E. O. J. Svanöe

11223

S. Stephensen

Trondhjem, November 27th 1908.

Respectfully

Adolf Oien

Magnus Halvorsen

R. With

Bergen, November 30th 1908

Respectfully

11224

*Defendants' Exhibit 74**Den norske Amerikalinje*

Copy of letter from the Admiral in Command to the Working Committee for the formation of the Share Company "Den norske Amerikalinje."

11225

"Referring to the letter of 9th inst. from the honoured Committee, it is hereby stated, that the Admiral in Command to-day has addressed a letter to the War Department of which copy is attached. From this copy it will presumably appear, what position the Admiral in Command takes towards the question raised by the Committee at present stage of the matter."

Copy of letter from the Admiral in Command to the War Department, Naval:

11226

"From the Working Committee for the formation of the Share Company "Den norske Amerikalinje" the Admiral in Command has received attached letter of 9th inst. asking if, how far and subject to that conditions the War Department will be able to employ as auxiliary cruisers the ships which it is contemplated to build for the Line.

"The Admiral in Command considers it beyond doubt, that ships of this kind, with suitable guns and mountings will enter as a very useful link in Naval defence. One of the more important tasks of our Marine in case of war is to seek to hold upon the most important lines of Communications by sea & if possible to act in a disturbing manner on those of the enemy.

For the solution of this task our present material is rather unsuitable & insufficient. For

Defendants' Exhibit 74

11227

the purpose it is preferable to possess vessels of great seaworthiness & high speed, which may be calculated to be maintained also under unfavorable conditions of weather & simultaneously capable of carrying a sufficient armament of artillery. The main claim remains, that such ships shall have sufficient speed to avoid a superior opponent, & sufficient armament to accept battle with an opponent of same or greater speed."

Copy.

11228

of a communicating from the Norwegian Postmaster General to the Working Committee for the formation of the Share Company "Den norske Amerikalinje" dated 29th of October 1908

"Referring to the letter of 9th inst. from the honoured Committee, I beg to state, that I consider it likely, that a new weekly or fortnightly Norwegian Steamship Line, regularly maintained between Norway & The United States of the mails in this manner arrive equally speedily as by other means of carriage & the route otherwise is arranged in a manner suitable for the Post Office. The amount of the remuneration would eventually have to be specially arranged."

11229

Copy

The undersigned Committee of Exchanges and Chambers of Merchants have with interest studied the accompanying proposition with the prospectus for the formation of the Share Company "Den norske Amerikalinje," and we hope, that the above share invitation

11230

Defendants' Exhibit 74

will meet with general sympathy not only in Norway, but also among Norwegians in America.

The foundation of such a line will be of great national importance.

May/November 1908:

Bors og Handelskomiteen i Kristiania
J. Andersen Aars. Alf Bjercke. Th. Sjøhelderup
Reidar Due

11231

Bors og Handelskomiteen i Drammen.
Bull Kjøsterud. And. Brecke. O. Grønneberg.
Samuel Nielsen

Bors-og Handelskomiteen i Skien.
Nils P. Hoyer. P. Landgaff. And. Ståvdal
H. Paus Nielsen

Bors-og Handelskomiteen i Kristiansand S.
Joh. Svendsen Gerh. Langfeldt. Oluf S. Olsen.
Ch. S. Johnsen

Bors-og Handelskomiteen i Stavanger
I. S. Isachsen. Chr. Fr. Falch. And Somme

11232

Bors-og Handelskomiteen i Bergen.
J. E. Mowinkel. F. L. Konow. Aksel Irgens.
Kr. Lehmkuhl.

Bors-og Handelskomiteen i Aalesund.
Joach. Ronneberg. B. Berli. K. Ingebregtsen.
Joach. Andersen.

Bors-og Handelskomiteen i Kristiansund N.
Herlof Herlofsen. Arne Arnesen. N. Volckmar.
Karl Bang.

Bors-og Handelskomiteen i Trondhjem.
A. Jensen. Edv. Wahl. Hans J. Larsen. Adolf Oien.

Defendants' Exhibit 74

11233

The Working Committee

for the formation

of

Den norske Amerikalinje
(The Norwegian American Line)

Magnus Andersen

Chief-Director, Mercantile Marine Department

Adolph Halvorsen

Shipowner and President of The Bergen Association
of (Steam) shipowners.

11234

Magnus Halvorsen

Wholesale Merchant M. P. and former Minister of
Finance

A. Wilh. Johannessen

Acting Manager of Bergens (Ships) Insurance
Company

S. Stepesen

Master of the passenger-steamer "Sterling"

E. J. Svanöe

Chief-Consulting Engineer in The Department of
Public Works (Railroads.)

11235

H. Waage

Shipowner and President of the Kristiania Associa-
tion of Steamshipowners.

R. With

Acting Manager of Vesteraalens Steamshipcompany

Adolf Oyen

Wholesale Merchant Importer and Exporter.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 11 Dec. 1908. Ansd.

11236

Petitioner's Exhibit 1152.*G. No. 308.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 8th, 1908.

To the Parties:

Cabin passengers and steerage Pool.

11237

I received the following telegram from Mr. Smyth:

"Understood second paragraph clause eleven
 should be included Cologne Minutes."

which no doubt refers to Minute 3 and clause 11b
 of Agreement V and clause 7b of Agreement W. too.

As I am unaware if Minute 3 is understood that
 way I can not include it. If not objected to, the ques-
 tion can be deferred for the next meeting.

Respectfully,

H. PETERS.

11238

Petitioner's Exhibit 1153.

11239

G. No. 309.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 11th, 1908.

To the Parties:

Monthly Statements for November.

I beg to send to-day the Monthly Statements for the month of November. In conformity with the Summary I have to request the Parties for the following payments being made: 11240

Allan Line to Cunard Line	£ 4955.—	
American Line to Dominion Line	" 1106.—	
Canadian Pacific Railway Co. to Continental Lines	" 6209.—	
Canadian Pacific Railway Co. to Anchor Line	" 808.—	
Canadian Pacific Railway Co. to Dominion Line	" 137.—	
Canadian Pacific Railway Co. to White Star Line	" 364.—	
Canadian Pacific Railway Co. to Cunard Line	" 1154.—	11241
Canadian Pacific Railway Co. to Donaldson Line	" 132.—	

The Parties will please inform me when the payments have been made or received.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 14 Dec 1908 Ansd.

11242

Defendants' Exhibit 75.

G. No. 310.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 12th, 1908.

To the Parties:

11243 Enclosed I beg to send printed copies of the Minutes
of the Meeting, held recently at Cologne.

Respectfully,

11244

Petitioner's Exhibit 1311.

11245

G. No. 311.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraphic Address
 "Secretair," Jena.

Jena, December 14th, 1908.

To the Parties:

Arbitration on Pooling of Cabin Passengers

According to Minute 91 of the Cologne Meeting it was agreed by all Lines except the C. P. R. that under Commentary to Art. 2 paragraph b all passengers paying a rate less than the agreement second cabin rate of the carrying steamer must be accounted for as steeragers. The dissent is to be referred to arbitration.

11246

The arbitration proceedings hitherto have taken place in England; hence if not otherwise agreed upon, the present case would have to be arbitrated in Germany (Art. 24a). As the matter is such a very simple one I think there may for the sake of convenience be no objection on the part of the Continental Lines nor of the British Lines to have it settled in England and I take this unless notified to the contrary.

I beg to ask the C. P. R. to nominate their arbitrator and will then ask the other Parties if they agree to him as sole arbitrator or if they prefer to appoint an arbitrator of their own. In the mean time the C. P. R. will please also prepare their statement and send it to me and I shall then send copies to the other parties.

11247

Respectfully,

(Stamped): North Atlantic Received 17/12 1908
 Ackn'd 1908 Answered 1908 Passenger Conference.

11248

Defendants' Exhibit 76.*G. No. 312.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 15th, 1908.

To the Parties:

Statistics.

11249

From several letters which I have of late received I get the impression, that the Lines would be glad to get the weekly statistics sooner than they do now. But I am sorry I cannot help it. The English mail comes here to hand in the afternoon.

The Statements of the British Lines

Week	Arrived here	Statistics mailed
1- 7 November	12th November	13th November
8-15 "	20th "	21st "
16-23 "	28th " (Saturday)	30th "
24-30 "	5th Decbr. "	7th December
1- 7 December	12th " "	14th "

11250

If one looks at the 3 statistics, considering what work they involve everybody must admit that what is done here is all that can be expected, I dare perhaps say a little more, for it would not be possible unless very late office hours were made.

I think matters could be expedited if each of the British Lines would make out their reports (in accordance with Art. 10) in duplo and send one of them to me direct and the other one to Secretary Smyth, as f. i. the C. P. R. always do. That might make a difference of 3-4 days.

Defendants' Exhibit 76

11251

The Allan Line would like me to telegraph to Secretary Smyth each week the total number of Continental Lines' eastbound & westbound carryings which would enable them to know their position in the Pool from five to six days earlier than at present and would frequently be of value to the British Lines.

I think the proposal of the Allan Line will meet the case to a good extent and as the Continental Lines no doubt are just as desirous to know their position as soon as possible I shall wire to Secretary Smyth the total number of westbound & eastbound carryings by the Continental Lines immediately upon receipt of his respective telegram.

11252

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 17 Dec. 1908. Ansd.

11253

11254

Petitioner's Exhibit 1312.*G. No. 313.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 16th, 1908.

To the Parties:

Italian westbound rates.

I received from Dr. Wiegand the following letter,
 dated:

11255

Cannes Decbr. 13th.

11256

"At a meeting held at Cannes on the 12th inst. the Italian Lines made the proposal, as soon as the Lines receive the confirmation that the new American Law, regulating the steerage capacity of the various steamers, will be put into effect, to approach the Italian Commissioner of Emigration, demanding that the Italian westbound cash rates for all steamers be increased by from 40 to 50 Lire *i. e.* in correspondence with the loss of space they sustain by the application of the new law. The Italian Lines promise to act in the same way, and they are hopeful that, if all Lines act unanimously, the result will be a favorable one, so that perhaps the rates will be increased by 25 to 30 Lires. All Lines should instruct their representatives at Genoa & Naples to act accordingly."

"Please communicate at once with all the Lines interested."

Respectfully,

Petitioner's Exhibit 1154.

11257

G. No. 314.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 18th, 1908.

To the Parties:

*Notice, Agreement on compensation for fighting
 steamers.*

11258

The Allan Line write:

"Please note that in accordance with Clause G of Minutes and Byelaws No. 22, we hereby give thirty days' notice of our withdrawal from the agreement as to compensation, we to be held as withdrawing from this agreement as soon as the required notice has expired, say on 17th January, 1909."

Minute 22 being part of the Contract (Minute 21) clause 27b applies and the agreement on compensation for fighting steamers comes to an end on the day when the Allan Line retires from it, unless it should be agreed by the remaining parties to continue it, for which there is at present no cause.

11259

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 21 Dec. 1908 Ansd.

11260

Petitioner's Exhibit 1313.*G. No. 315.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 19th, 1908.

To the Parties:

Pooling of Cabin Passengers.

11261

I beg to submit the following letter received to-day from the Canadian Pacific Railway Co.:

"With reference to Minute No. 91 of the Cologne Meeting December 3rd, in which all Lines except C. P. R. agreed that passengers paying rate less than the agreement second cabin rate of the carrying steamers, must be accounted for as steeragers, also that C. P. R. agreed file memorandum of the number of Railway Employees at special rates, who have travelled first or second class during 1907, Allan and Dominion Lines to file similar statement, when question as regards employees to be further considered.

11262

"With the desire of settling these two points with the Conference without the necessity of arbitration, the Canadian Pacific submit the following proposal to the members of the Conference, viz:

"We are agreeable to pool all passengers paying lower than agreed second cabin rates of carrying steamers, provided the Lines will agree that no special rates shall be allowed by

Petitioner's Exhibit 1313

11263

any of the Lines lower than £10 on first cabin and £8 on second cabin, and also that the question concerning Canadian Pacific Railway employees be dropped.'

"Will you kindly circulate this and advise me. Meantime, we are with-holding proceedings waiting your reply."

I shall be glad to receive the replies of the Lines to this proposal.

Respectfully,

(Stamped): North Atlantic Passenger Conference. 11264

Received 21-12 1908 Ackn'd 1908 Answered 1908.

11265

11266

Petitioner's Exhibit 1155.*G. No. 316.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 28th, 1908.

To the Parties:

11267

New Service between Continental Canadian Ports.

The following letter has been received from the
 Allan Line:

11268

"We beg to intimate our formal protest against the proposed establishment by Conference Lines of a new service from Hamburg, Rotterdam, and Bremen to Canadian ports. We hold that the establishment of such a new service is contrary to the Conference agreements 'AA' and 'Z,' and we propose at the proper time to claim arbitration on this subject, with special reference to the right of any Lines in Conference to transfer any portion of their pool percentages, which were granted on their existing services between certain ports, to a newly established service running to different ports."

Respectfully,

H. PETERS.

Petitioner's Exhibit 1156.

11269

G. No. 317.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 30th, 1908.

To the Parties:

Superlatives in advertising.

11270

The Hamburg American Line desire me to promulgate their following letter:

(Translated) "In looking over the printed matters issued by the various Conference Lines we find that several of them do not duly regard Art. 24 of the N. D. L. V. Contract and Art. 16 of the A. A. Agreement, which reads:

"No circulars or publications shall be issued by any Line reflecting upon or instituting comparisons with any Conference Line *unfavorable* to the latter, etc.'

"Notwithstanding, however, the Austro Americana, the White Star Line and the Cunard Line employ superlatives continually.

11271

"But if a Party asserts that it has the *fastest* steamers or the *largest* vessels, *f. i.* Austro Americana says:

"the Martha Washington, the *fastest* liner regularly employed in the Mediterranean and Adriatic trade.'

11272

Petitioner's Exhibit 1156

"The White Star Line:

" 'Cedric, the *largest* vessel in the Mediterranean trade Olympic. Titanic, the *largest* steamer in the world building, Adriatic, the *largest* British twin screw steamer.'

"The Cunard Line:

" 'Lusitania and Mauretania, the *largest, fastest* and magnificent steamships in the world.'

"this implies, that the qualities on which stress is laid are with other parties in a *less* degree.

11273

"Other parties might just as well speak of the finest, best, largest, most comfortable vessels off their ports.

"But would such a proceeding be to any purpose? We hardly believe that a Party by doing so could attract a single passenger more in the course of a whole year.

"We therefore propose that in time table, handbills, etc. of the A. C. Lines and their agents *superlatives* should no longer be employed."

11274

The Hamburg American Line send me a circular to their agents on this point issued in 1905, of which the enclosure is a translation.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Reed. 4-Jan. 1909

Petitioner's Exhibit 1157.

11275

Enclosure to G. No. 317.

Hamburg, October 30th, 1905.

To our Agents:

In order to avoid displeasing polemics the steamship Companies since years have established the rule to omit unfavorable comparisons in their publications. It is sufficient if each Company points out the advantages which may make them attractive in the eyes of the public, this however can be done without simultaneously degrading the arrangements of other companies which certainly have preeminences of their own. For this reason all superlatives as "fastest steamer," "biggest, cheapest Line," "greatest comfort," must be avoided; the exaggerated employment of superlatives always shows a bad style. Advantages may just as well and more efficiently and less obtrusively be pointed to without superlatives.

11276

The above rule regarding publications is hereby recalled to the mind of our agents and particularly to those of them, who advertise, issue handbills, circulars and other publications of their own. In case of unfavorable comparisons, superlatives or other publications of an unfriendly character being known or coming to their knowledge we request them to inform us so that we may ask the respective Lines for redress.

11277

Yours truly,
HAMBURG-AMERICA LINE.
Passenger Department.

11278

Petitioner's Exhibit 1158.*G. No. 318.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 31st, 1908.

To the Parties:

*Austro Americana's participation in compensation
 for fighting rates.*

11279

Austro Americana's share in the eastbound business of the N. D. L. V. Lines and Austro-Americana itself has been fixed at 4%. This percentage in relation to the percentages of the A. C. Lines and of Transat affects the percentages over which so far the compensation moneys have been distributed in the way that the new percentages after including Austro are changed as follows:

11280

Allan Line	4.42%
Anchor Line	3.51%
Cunard Line	13.50%
Hapag	11.03%
Nasm	5.45%
Lloyd	16.77%
Red Star Line	7.64%
White Star Line	13.83%
American Line	7.78%
Dominion Line	1.34%
Canpac	4.01%
Transat	9.02%
Austro	1.70%

 100.00

Austro Americana's share of participation under byelaw 22e hence is 1.70%. In applying the above percentages to the summary of the payments as per circular letters G. No. 117, 249, 267, 288, viz: \$101,-108.76 and M 62607.30 it results that Austro Americana owes the following amounts to:

Allan Line	\$ 80.88	and Marks	50.09	
Anchor "	\$ 60.67	" "	37.56	
Cunard "	\$232.55	" "	143.99	
Hapag	\$192.11	" "	118.96	
Nasm	\$ 90.99	" "	56.34	
Lloyd	\$303.32	" "	187.82	11282
Red Star Line	\$131.45	" "	81.39	
White Star "	\$242.67	" "	150.26*	
American Line	\$141.56	" "	87.65	
Dominion Line	\$ 20.21	" "	12.52	
Canpac	\$ 70.77	" "	43.83	
Transat	\$151.67	" "	93.91	
	<hr/>		<hr/>	
	\$1718.85	Marks	1064.32	
	<hr/>		<hr/>	

I have requested Austro Americana to remit said amounts to the respective parties.

Respectfully,

H. PETERS. 11283

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 2-Jan. 1909. Ansd.

* paid January 18th, 1909.

11284

Petitioner's Exhibit 1159.*G. No. 319.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 31st, 1908.

To the Parties:

11285 According to Minute 53 the salary of the A. C. Secretary is £2000 to be paid by all the Conference Lines on the basis provided for in Art. 23 of Agreement AA, which says: "* * * the salary of the Secretary shall be paid by the Lines in equal parts." When I computed the salary for the time March 1st to June 30th I had no information yet of Minute 53 and made the computation differently. The Red Star Line justly say that the way I did it was wrong and insist that it should be rectified. So I have to do it.

The salary for the 4 months March 1st to June 30th amounts to £666.13.4 and the Lines participating in it in equal parts are:

11286	Allan Line	£	60.12.	1
	American Line	"	60.12.	1
	Anchor Line	"	60.12.	1
	Canadian Pacific Ry. Co.	"	60.12.	2
	Cunard Line	"	60.12.	2
	Dominion Line	"	60.12.	1
	White Star Line	"	60.12.	2
	Hamburg American Line	"	60.12.	2
	Holland-America Line	"	60.12.	1
	Norddeutscher Lloyd	"	60.12.	2
	Red Star Line	"	60.12.	1

 £666.13. 4

Petitioner's Exhibit 1160

11287

For July/August the salary amounts to £333.6.8 which have to be raised by the above 11 Lines.

From September 1st to December 31st the Russian East Asiatic S. S. Co. have to contribute 100 and hence the amount of £666.13.4 has to be raised by 12 Parties. This works out with £85.17.2 for each of the A. C. Lines and £55.11.1 for the Russian East Asiatic S. S. Co.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 4-Jan. 1909 Ansd. 7

11288

Petitioner's Exhibit 1160.

G. No. 320.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 31st, 1908.

11289

To the Parties:

Cunard Line's Fiume Service westbound.

Referring to Minute 76 I promulgate the following letter of December 28th received from the

Cunard Line:

"Referring to your enquiry of the 8th instant, as to whether the Hungarian Government had given its approval to the inclusion

11290

Petitioner's Exhibit 1160

of our Fiume Westbound Service in the Atlantic Conference, and our telegram in reply, stating that meetings with the Hungarian Government Representatives and the Continental Lines were held in Berlin, but that arrangements were not completed, and that it was expected that further meetings would shortly be held, we beg to say that we have made two applications to the Hungarian Government for permission to increase the Third Class Rate for our Fiume Westbound Service, but have been advised that such permission will not be granted until that Government has come to an arrangement with the Continental Lines. Under the circumstances, we regret to have to ask you to intimate to the parties concerned that, owing to our inability to obtain the consent of the Hungarian Government, and consequently, to control carryings in the manner contemplated under agreement A.A., it is impossible for our Fiume Westbound Service to come under this agreement from the 1st November last as contemplated by Minute 76 of Paris Meeting 22nd October last."

11291

11292

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 2 Jan. 1909. Ansd.

Petitioner's Exhibit 1161.

11293

G. No. 321.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 31st, 1908.

To the Parties:

*Compensation for steamers "Lützow" & "President
 Grant" for carrying passengers at fighting rates.
 (G. No. 299)*

11294

The following is the award of Mr. Ismay in the
 arbitration of the above question:

"Having carefully considered the claims put
 forward by the Norddeutscher Lloyd and
 Hamburg-American Packet Companies for
 compensation for passengers carried at fight-
 ing rates by the steamers 'Lützow' and 'Presi-
 dent Grant' respectively, I find that the Com-
 panies named are not entitled to any compensa-
 tion from the Atlantic Conference Lines."

11295

Respectfully,

H. PETERS.

11296

Petitioner's Exhibit 1314.*G. No. 322.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 2nd, 1909.

To the Parties:

interested in Mediterranean Business

11297

On December 28th I sent the following message:

"In order to avoid that further engagements regarding commission on Italian cash business be made beyond January Dr. Wiegand requests decision on fourth point of my telegram thirteenth December in view of large Italian emigration to be expected. Italian Lines and Lloyd are willing. Stop. He further would like to know how far Lines have complied with the proposal made by circular letter G. No. 313 or are willing to do so. Please wire."

11298

to which replies were received from

1) Austro Americana:

"Assuming all lines will increase in correspondence their rates for Greek and Oriental passengers agree fourth point your telegram thirteenth have instructed Italian representatives according G. No. 313."

Petitioner's Exhibit 1314

11299

2) Transatlantique:

"Avons prescrit a nos agents italiens de demander augmentation prix en arison application section 42."

3) White Star Line:

"If all lines agree we concur westbound commission 15 Lire for sailings from Italy on and after February first, have already applied authorities for 50 Lire increase cash rate account new American law."

4) Anchor Line:

11300

"Agree limit brokerage fifteen Lire from first February if all other lines conform our Naples agents advise conjunction other agents have forwarded demand Rome increase cash rate fifty Lire."

5) Hamburg American Line:

"Telegram received. We agree commission on westbound Mediterranean steerage business not to exceed fifteen Lire for all sailings on and after February first, we agree further to approach Italian government regarding advance rates as proposed in circular letter G. No. 313. Wire whether other lines also agreed above two questions."

11301

6) Cunard Line:

"Replying telegram wired you on 22nd instant regarding commission are not taking any action relative G. No. 313."

(Wire of 22nd reads: "Have no objection Italian commission if all other Lines agree.")

11302

Petitioner's Exhibit 1314

7) Atlantica:

"Replying your wire twenty-eight regarding decision fourth point your telegram thirteenth: we are favourable to same provided our colleagues are. Stop. Regarding circular letter mentioned in yours we have instructed agents Genoa and Naples accordingly and written you."

11303

(The letter referred to reads: "In reply to your esteemed letter of the 16th inst., we now beg to inform you, that, as suggested in this letter to us, we have advised our Agents at Genoa & Naples in accordance with your instructions.")

8) Fabre Line:

"Nous recevons votre dépêche d'hier (10 h. 20 du soir), relative à la réduction des commissions sur les Westbound cash, à partir du 1^{er} Février.

11304

"Nous sommes tout disposés à suivre le Lloyd Allemand et les lignes italiennes, dès qu'elles pratiqueront des réductions. Nous n'avons jamais bien compris d'ailleurs, comment les lignes italiennes ont pu prétendre qu'elles étaient engagées pour tout le mois de Janvier: la Navigazione à 25 lire, et les autres Compagnies à 35 lire. Les Compagnies ne prennent pas d'engagement de cette nature vis-à-vis de leurs représentants. Ces Compagnies avaient peut-être publié ces commissions; mais rien ne les empêchait de les modifier: si elles ne l'ont pas fait, c'est qu'elles croyaient de leur intérêt de maintenir des commissions élevées. En ce qui nous concerne, nous n'avons aucun engagement, et nous n'en prenons jamais de cette nature; nous serons

donc toujours prêts à suivre les bons exemples qui nous seront donnés par les Compagnies Italiennes.

"La seconde partie de votre dépêche nous demandé, si nous nous sommes conformés à la proposition que faisait votre lettre-circulaire G. N. 313 du 16 Décembre: il s'agissait de demander au Gouvernement Italien une augmentation de prix, en vue de la réduction de portée des navires, par application de la nouvelle loi américaine. Nous nous sommes conformés à ce qu'ont fait les Italiens et les autres compagnies étrangères, en demandant 50 livres d'augmentation."

11306

9) The White Star Line further write on the subject:

"* * * It would seem desirable, if the reduction is agreed upon, for the Lines also to agree upon a date upon which the reduction be simultaneously advised to their agents. We consider such an understanding essential."

I beg to mention that the fourth point of my telegram of December 13th was: "Commission on west-bound Mediterranean business not to exceed fifteen Lire for all sailings on and after February first, which is different from introducing the reduced commission on February first, as it clearly means that for passengers which *f. i.* are booked today for a sailing on February first a commission of not more than fifteen Lire must be paid."

11307

Since the objection which the Hamburg American Line raised against the reduction of the commission on prepaid steerage tickets has thus been removed I have asked them for confirmation that they will now agree to a commission of \$2 for subagents & \$3 for General Agents, beginning February 1st and I shall inform the Lines of their reply as soon as received.

11308

Petitioner's Exhibit 1314

If the Lines will send me their views on the proposal of the White Star Line I shall submit them.

Respectfully,

10) Hamburg American Line:

11309

"(Translation) After commission on cash business has been reduced to fifteen Lire commencing first February we no longer object to commission on prepaids being fixed from same date to two dollars, headagents one dollar extra. Please inform us if all parties agree, so we may instruct New York."

As all Lines except the Hamburg American Line had already before agreed to a reduction of commission on prepaids becoming operative January first it is not to be anticipated that any one should now object. If however, it should be the case will such Line please wire me, not later than 5th instant here.

11310

(Stamped): North Atlantic Passenger Conference.
Received 4/1 1908. Ack'd 1908. Answered
1908.

Petitioner's Exhibit 1162.

11311

G. No. 323.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, Januar 4th, 1909.

To the Parties:

The Norddeutscher Lloyd have sent me for circulation the following letter from their General Agents in New York dated December 11th 1908:

11312

The Lines no doubt will all be convinced that it will be well done if on their part the word "pool" is absolutely avoided in correspondence as well as in negotiations, agreements etc. This might also apply to the negotiations on Mediterranean business and it would certainly be advisable to eliminate the word "pool" and substitute "arrangement" or some other synonymous word.

The report referred to says that the Danish United S. S. Co. of Copenhagen has with the approval of the Transatlantic S.S. Cos entered the "Atlantic Pool" for a Line between Sweden, Norway and the U. S.— And after having referred to the new Norwegian and Swedish Cos it goes on: "The three companies will belong to the North Atlantic Pool. A uniform passenger and freight rate has been agreed upon."

11313

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept. .
 Recd. 6 Jan. 1909. Ansd. 7/1/09.

11314

Defendants' Exhibit 77.

G. No. 324.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 4th, 1909.

To the Parties:

11315

In view of the U. S. Immigration Act by which in computing the number of steeragers which may be carried in a vessel two children between one and eight years shall be counted as one passenger. I beg to submit if it would not be practicable that the age of children paying half fare should be reduced to between one and eight years.

Respectfully,

11316

Defendants' Exhibit 78.

11317

G. No. 325.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 11th, 1909.

To the Parties:

Monthly Statements for December 1908.

11318

I beg to send today the Provisional Monthly Statements for the month of December 1908. In conformity with the Summary I have to request the Parties for the following payments being made:

Continental Lines	to	Anchor Line	.....f	7.—.—	
Allan Line	"	Cunard Line	.....	3392.—.—	
" "	"	Dominion Line	..."	492.—.—	
White Star Line	"	American Line	..."	1593.—.—	
" "	"	Dominion Line	..."	2477.—.—	
Canadian Pacific Ry. Co.	"	Cunard Line	.....	2421.—.—	
" " "	"	Anchor Line	.....	491.—.—	
" " "	"	Donaldson Line	..."	160.—.—	11319

The parties will please inform me when the payments have been made or received.

I shall send the Anchor Line the amount due by the Continental Lines as soon as received.

Respectfully,

(Stamped): North Atlantic Passenger Conference
 Received 13/1 1909. Acknl'd 1909 Ansd. 1909.

11320

Petitioner's Exhibit 1163.*G. No. 326.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 11th, 1909.

To the Parties:

Paris February Meeting.

The Allan Line write:

11321

"In reply to yours of 4th inst. we wish to represent strongly that in view of the great inconvenience to those Lines which are not interested in Mediterranean business, which would be involved in attending the proposed meeting in Paris, such meeting should be confined to the Mediterranean business which is its principal object, and without which no meeting at the date named would have been considered necessary. If this view is accepted, it will not be necessary for us to attend the meeting."

11322

In my letter mentioned above I had already pointed out that the question of the Mediterranean Agreement had also a bearing on steerage business generally and that other matters no doubt would turn up making a meeting desirable.

Will the Lines please inform me, if they think the Allan Line's presence at the meeting can be dispensed with in the discussion of the Italian Agreement and that other matters can be deferred.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 13 Jan. 1909. Ansd.

Defendants' Exhibit 79.

11323

G. No. 327.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 14th, 1909.

To the Parties:

Newyork and Continental Line.

11324

Mr. Ballin has sent me for promulgation copy of two letters which the Hamburg American Line has received, referring to the reorganization of the Newyork & Continental Line. In the mean time the Hamburg Line have received wire news that the charter mentioned in the letter of January 9th has been completed.

Respectfully,

11325

3775

11326

*Defendants' Exhibit 79**Copy of Letter*

1)

London 9th January 1909.

11327

"In view of the interesting position which the attempted revival of the New York & Continental Line has occasioned I have of course been trying to ascertain definitely what has been done. Up to yesterday afternoon the "Volturno" was not definitely chartered as Petersen had not succeeded up to then in convincing the Owners that it was safe for them to embark the steamer in the Line again. There was however to have been a meeting late last night to further consider the matter.

The proposal before the Owners on behalf of Petersen is I understand as follows:

To charter the boat on a net basis for 2 years at £600 per month Charterers paying everything, upkeep, insurance, wages, provisions, as well as all other requirements as per time charter and with option of purchase at any time during the 2 years for £45,000, which I regard as a very high price but the boat cost £85,000 and of course it is merely an *option* to the Time Charterer.

11328

With regard to the prospects of the boat if she runs I understand that Passenger Agents here have accumulated some 100 passengers and that on the Continent there are also a considerable number to come forward. As regards cargo I suppose there is likely to be little or nothing.

Robertson Shankland and the East Asiatic Co., who I suppose are the real Owners of the "Avoca," are very anxious to get rid of her. Shankland has no love for Petersen and would be glad to sell the boat past him if he could and the Owners of the "Volturno" who of course have still a large unpaid claim cannot be animated by any feelings of grati-

tude. So far as the "Volturno" is concerned however they are of course endeavoring to collect some of their past loss as well as provide for business for the future.

Since writing above I have had a long conversation with one of the Owners of the "Volturno." I commenced by congratulating him on having been able to recharter his steamer (which is laid up) but he at once told me that I was in error in supposing that the ship was finally fixed: "she is in a good way to be fixed," he added, "but before we send her to sea again we require not only adequate guarantee for the future but a payment to some extent for our past loss" and it is this latter stipulation which is apparently hindering the completion of the negotiations. I asked him who he supposed was the man behind Petersen and he at once replied that so far as he knew it was Mackenzie and that the money was being taken from the Canadian Northern Loan just floated. This latter statement may of course be incorrect. I do not think that the negotiations (which probably involve cables to the other side) will be perfected for a day or two. It is interesting to note however that so far as the Owners of the "Volturno" are concerned, although sceptical a few days back, they are now disposed to believe that Petersen is in a fair way to accomplish his task and get the necessary money, while Petersen is stated to be again booking passengers."

11330

11331

2)

London, 11th January 1909.

"With further reference to what we wrote on Saturday it would appear that the agents at Rotterdam are

Defendants' Exhibit 79

11332

now to be Messrs. Hudig & Veder and it is now suggested that Mr. Mackenzie has been all the while behind Mr. Petersen's operations from August last when you will remember he separated from Robertson Shankland & Co. and left these gentlemen in the cart. It is reported (we give this information with all reserve) that during this period he has drawn for absolutely necessary purposes some £7-8000 of Mr. Mackenzie's money and that the latter has put up a credit for £20,000 in the favor of the new Co. with a London Bank. The new company (which is known as the North West Shipping Co.) has taken over the 'assets' of the American and European Company formed by the London Board for the control of the New York and Continental Line which was registered somewhere in America (we believe New Jersey). They have not taken over the liabilities and have paid for these so-called assets by a certain number of shares in the North West Shipping Co. We are endeavoring to ascertain the name of Petersen's Bankers which however was not divulged at the Board Meeting and until we get this and actually know that the money is there or guaranteed we shall not be disposed altogether to believe the latest statements which are however brought to us individually from three different quarters in the most positive manner."

11333

11334

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 18 Jan. 1909. Ansd.

Defendants' Exhibit 80.

11335

*G. No. 328.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 14th, 1909.

To the Parties:

Returned emigrants.

I received the following letter from the Cie. Gle.
 Transatlantique:

"Nous vous remettons ci-après la copie d'une
 lettre que nous recevons de notre agence de
 New York au sujet de passagers retournés
 par les autorités américaines.

11336

"Nous venons de recevoir du service de
 l'Immigration deux lettres nous réclamant la
 remise des documents qui ont accompagné le
 renvoi de deux passagers retournés par "La-
 Lorraine" le 17 Septembre et "La Provence"
 le 29 Octobre de cette année, et qui ne lui ont
 pas été renvoyés.

"En raison des difficultés que vous éprou-
 vez à remplir les formalités exigées par ces
 règlements et des dépenses qu'elles occasion-
 nent, nous avons essayé depuis quelque temps
 de les éviter, en répondant au Commissaire de
 l'Immigration qu'à leur arrivée au Havre ces
 passagers étaient remis aux autorités locales
 qui en prenaient soin, selon les prescriptions
 de la loi française.

11337

"Malheureusement nos explications n'ont
 pas été acceptées et on nous a fait comprendre
 que si nous ne nous conformions pas aux dis-
 positions établies, le service de l'Immigration
 se verrait dans l'obligation d'appliquer rigou-

Defendants' Exhibit 80

11338

reusement les exigences réglementaires et de faire accompagner à nos frais chaque passager jusqu'à sa destination finale par un de ses délégués, que nous serions tenus de ramener ensuite ici.

11339

"Vous savez, en effet, que c'est à la suite des violentes protestations des lignes transatlantique que les autorités américaines ont consenti à cesser d'exiger, comme la loi les y autorisait, à ce que certains passagers retournés, qu'ils jugent incapables de se conduire eux-mêmes, soient accompagnés par un assistant chargé d'en prendre soin jusqu'à retour au point d'où ils sont partis.

"Il est donc de toute nécessité que cet adoucissement aux rigueurs des règlements nous soit continué, et dans ce but nous vous prions de faire remplir aussi exactement que possible les imprimés qui sont remis aux bords, lorsque ces passagers leur sont confiés, et de nous les retourner aussitôt que possible afin que nous les transmettions au Commissaire de l'Immigration à Ellis Island."

11340

"Comme nous l'avons dit dans l'une des conférences, nous ne pouvons pas comprendre que le gouvernement des Etats-Unis qui refuse de recevoir des passagers exige encore certaines formalités. Il nous semble que tout ce qu'un gouvernement peut faire, c'est refuser des passagers et qu'il n'a pas à s'inquiéter de ce qu'ils peuvent devenir.

"Nous vous prions de nous dire si les autres compagnies ont reçu comme nous des réclamations de la part du Commissariat et quelle a été leur ligne de conduite."

The matter being one of general interest it might be well to be informed what the experiences of the other Lines are.

Respectfully,

Defendants' Exhibit 81.

11341

G. No. 328.

Jena, January 14th, 1909.

Returned Emigrants.

I received from the French Line the following letter:

"We herewith attach copy of letter from our New-York Office regarding passengers returned by the United States Authorities.

"We received from the Immigration Department two letters asking us to furnish them with the papers in connection with the return of two passengers by the "LORRAINE" on the 17th September and "PROVENCE" on the 29th October of this year, and which they have not received. 11342

"In view of the difficulties experienced by you to comply with the formalities enacted by these by-laws and the expenses incurred in connection therewith, we had endeavoured for a time to avoid same, in stating to the Commissioner of Immigration that these passengers on their arrival at Havre, were turned over to the local Authorities who take charge of them in accordance with the French Law. 11343

"Our statements, however were not accepted and it was intimated to us that, if we did not comply with the rules and regulations in force, the Immigration Department would find themselves placed under the necessity of rigorously applying the law and to arrange that each returned passenger is accompanied at our expenses to his final destination by one of their representatives whom we have to send back at once.

Defendants' Exhibit 81

11344

"You are, no doubt aware that, owing to the strong representations by the transatlantic Lines, the United States Authorities have consented to discontinue to exact, as provided for by the Law that certain passengers returned whom they consider incapable of guiding themselves, are accompanied by assistants who take charge of them till that point from which passengers have started.

11345

"It is therefore of great importance that this modification of the Law should remain in force, and to this end, we request you to have the printed matter which is handed to those passengers on board, most carefully made out, and to return same to us as soon as possible to enable us to furnish same to the Commissioner of Immigration at Ellis Island."

11346

"As mentioned by us at one of the Conferences, we fail to understand why the United States Government who refuse passengers to land, enforce also certain formalities. It appears to us that all that a Government can do, is to refuse passengers, and they do not need to be uneasy about that which may become of them."

"Kindly let us know whether the other Companies have received similar letters from the Commissioner, and how they will deal with the matter."

The matter being one of general interest, it might be well to be informed what the experiences of the other Lines are.

Yours truly,

Defendants' Exhibit 82.

11347

G. No. 329.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 15th, 1909.

To the Parties:

Change in rates.

11348

The Russian East Asiatic S. S. Co. inform me that
 they advance their westbound Libau rate on the 26th
 instant as follows:

cash	from	Rbl.	70 to 77
Prepaid	"	\$	35 to 38½

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 18 Jan. 1909. Ansd.

11349

11350

Petitioner's Exhibit 1315.*G. No. 330.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 16th, 1909.

To the Parties:

Commission on Cruises.

11351

Enclosed I beg to hand copy of Mr. Wildings
 award. Will the 4 Lines concerned please send me
 their check for £2.12.6 each their share in the fee
 of the arbitrator.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 18/1 1909 Acknl'd 1909 An-
 swered 1909.

11352

Petitioner's Exhibit 1316.

11353

Enclosure to G. No. 330, 16/1 1909.

Copy.

Southampton, 14 January, 1909.

*Allowance of More than 5% Commission to Agents
in America on First-Class Business.*

7½% has been allowed to agents other than General Agents in America on the fares of passengers travelling by steamers engaged in so-called cruises to the Mediterranean.

Mediterranean First-Class business is governed by Agreement "X" which provides that the regulations and conditions as per Agreement "V" applying to the North Atlantic trade also apply to the Mediterranean business.

11354

One of these regulations provides for the payment of 5% commission with certain named minimums and that this commission is not to be exceeded except to certain general agents whose names are to be scheduled and the final clause of this regulation provides that under no circumstances is more than 5% to be given to tourist agents.

There is nothing in the Agreement "X" or "V" excluding from the regulations and conditions of these Agreements passengers carried by the steamers of the several Lines, parties to the Agreement, when engaged in cruises, and in the absence of such exclusion by Agreement I consider the regulations and conditions apply to such passengers when the cruises are within the geographical area to which the Agreements apply.

11355

The Norddeutscher Lloyd, Hamburg Packet Co. and Cunard Lines say they were compelled to pay 7½% commission by Mr. Clark who was advertising a cruise by the White Star Liner "Arabic" and

Petitioner's Exhibit 1316

11356

had made contracts with agents to allow 7%, from which contracts they tried to get him to withdraw but found he was unable to do so.

Mr. Clark has an absolute charter of the "Arabic," has entire charge of the booking of his passengers and pays the 7% commission himself, no part of it is paid by the White Star Line and under these circumstances the White Star Line claim that the "Arabic" cruise does not come under the conditions of the First-Class Agreement but that bookings by the Lines themselves to the Mediterranean ports, whether for single or round trip tickets, do come under the conditions of the Agreement.

11357

If the White Star Line was entirely unconnected with the "Arabic's" cruise a very difficult question would arise but I am not called upon to decide this very difficult point because, according to Mr. Clark's advertisement, the White Star Line is not unconnected with the "Arabic" Cruise.

In the advertisement of the "Arabic's" cruise, sent me by the Cunard Line:

(1) The "Arabic" is advertised as a White Star Steamer.

(2) Intending passengers are referred for further particulars to the White Star Line, New York.

11358

(3) It is stated that safety is a paramount consideration with the owners of the White Star Line.

(4) It says neither we nor the owners of the White Star Line approve of over-crowding.

(5) It announces that the tickets for the cruise are good to stay over in Europe and sail later from Liverpool or Queenstown by the White Star steamers "Baltic" "Celtic" "Cedric" also by the White Star service from Naples, Genoa and from Liverpool to Boston.

These tickets on which excessive commission has been allowed thus becoming available on White Star Line regular services.

I assume this close identification with the White Star Line and the material advantages offered to the "Arabic's" passengers in connection with the White Star Line's regular services are advertised by Clark with the consent of the White Star Line and if so they constitute a partnership, no doubt strictly limited, but sufficient to make it obligatory on the White Star Line to see that their partner does not do what they themselves and the Lines with which they are working in agreement, are prohibited from doing.

11360

It follows from the foregoing and my Award is that the Norddeutscher Lloyd, the Hamburg Packet Co., the Cunard Line and the White Star Line are all in default in not fulfilling the obligations imposed upon them by Agreement "X."

HY. WILDING.

My Fee £10:10:0 to be paid in equal proportions by the four defaulting Lines.

11361

11362

Defendants' Exhibit 83.*G. No. 331.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 16th, 1909.

To the Parties:

Rating New Steamers.

11363

Enclosed I beg to hand copy of the arbitrator's
 award in this case. Will the Hamburg American Line
 and the Norddeutscher Lloyd please send me their
 check for £5. 5. 0 each.

Respectfully,

H. PETERS.

(Stamped): North Atlantic Passenger Conference.
 Received 18/1 1909 Ackn'd 1909. Ansd. 1909.

11364

Enclosure to G. No. 331 16/1 1909.

Copy.

Southampton, 14th January, 1909.

I am asked to settle the First and Second-class rates to be charged by the "George Washington," the "Berlin" the "Cleveland" and "Cincinnati."

The basis to be applied is stated in the last section of Rule 1, Agreement V, 5th February, 1908, and Clause C of Rule 1 of Agreement W of same date, which provide that the rating is to be on a similar basis to that applied in Agreements V and W to then existing steamers.

11366

I have tried but without success to arrive at a common factor on which these rates were based, they appear to have been fixed empirically and not to have any uniform basis.

The only information given for my guidance in fixing rates for the four above named new steamers is their estimated tonnage and speed, but other qualities and circumstances entered into the determination of the rates for existing steamers and should therefore enter into the determination of Rates for the New Steamers.

For example the character and attractiveness of the accommodation and arrangements of the new steamers whether or not they are comfortable sea boats, whether they fall short of or exceed their estimated speeds, are elements that enter into the appreciation of the steamer by travellers and consequently enter into the consideration of their classification for rate purposes and until these and other things concerning new steamers are ascertained, their definite classification is not possible.

11367

The most equitable arrangement appears to be to fix provisional rates to be charged for these steamers during the year 1909, and to decide that the rates to be

11368

Defendants' Exhibit 83

charged subsequently be determined by agreement or arbitration in December next and I award that the rates for 1909 be:

To or from Continent.

	"George Washington"	£22:10:0	First Class
	"Berlin"	£19:10:0	" "
	"Cleveland"	£19: 0:0	" "
	"Cincinnati"	£19: 0:0	" "
	"George Washington"	£12: 0:0	Second Class
	"Berlin"	£11:10:0	" "
	"Cleveland"	£11: 0:0	" "
11369	"Cincinnati"	£11: 0:0	" "

To or from England.

	"George Washington"	£11: 0:0	Second Class
	"Berlin"	£10:10:0	" "
	"Cleveland"	£10:10:0	" "
	"Cincinnati"	£10:10:0	" "

I am further asked to fix rates to be charged for the "Berlin" under Agreement X.

11370

Having fixed the rates she is to charge in the North Atlantic trade I am bound by the following clause in Agreement X: "The steamers not mentioned above when entering or engaging in the Mediterranean trade to be rated the same as in the North Atlantic trade," to decide that her First-class rate under that Agreement be the same, viz: £19:10:0. Agreement X does not apply to Second-class business but provides that Second-class rates are to be arranged by New York Conference, so I fix no Second-class rates for "Berlin" in Mediterranean trade.

HY. WILDING.

My fee £10:10:0 to be paid one-half by the Nord-deutscher Lloyd and one-half by the Hamburg-Amerika Linie.

(Stamped): North Atlantic Passenger Conference.
Received 18/1 1909.

Defendants' Exhibit 84.

11371

G. No. 332.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 16th, 1909.

To the Parties:

New York & Continental Line. (G. No. 327.)

In pursuance of G. No. 327, I beg to confirm my telegram of last night by which I informed the Lines that according to a Red Star Telegram it was rumored in Antwerp that S. S. "Jelunga" was to sail on January 30th.

11372

The Holland America Line sent news that likewise in Rotterdam it was reported, that Petersen's New York Continental Line would have the first sailing January 30th, but the reports were not positive yet and further that it was still uncertain if the ship-brokers Hudig & Veder would take the agency.

Further on this point I have received the following letter from Mr. Ballin of January 15th:

(Translation) "In pursuance of the two letters from a London confidence man which I have already sent you I now send you copy of a letter which I received from a Mr. E. J. Heinz. It seems it can hardly be doubted that in spring we shall have to deal again with the competition of the reorganized New York and Continental Line which however trifling it may be will nevertheless impose upon us heavy sacrifices. As no doubt Mr. Petersen will chiefly rely upon Rotterdam I beg to ask the Directors of the Holland America Line that they take it in hand to obtain further information in this matter eventually to enter into connexion with

11373

11374

Defendants' Exhibit 84.

this Mr. Heinz and at any rate to do their best possible to avert from the Atlantic Conference this gross injury."

The letter from Mr. Heinz referred to above reads:

Private.

London, 13/1, 1909.

"Dear Sir:

11375

I presume you are aware that the joint managers of the New York and Continental Line have dissolved partnership and that Mr. Petersen has registered another company, The North West Shipping Co. Ltd., to carry on the business of the New York and Continental Line and is now making arrangements to take over the steamers that were running in this line, in which (steamers) Messrs. Robertson Shankland are still interested. Mr. Petersen is now in close negotiation for the S. S. 'Volturno' 'Avoca' and 'Jelunga' and it is necessary for his starting the Line again, that he should get these steamers. Mr. Petersen made arrangements with the Atlantic Express to book passengers, about three weeks ago and intends sailing his first steamer S. S. 'Volturno' at the end of the present month. I have been informed privately that the North West Shipping Coy have taken over all the assets and shares of the N. Y. & C. Line and also protected Mr. Mackenzie's interests in same.

11376

"I formerly held the position of passenger-manager and superintended the general arrangements of fitting out the steamers in the N. Y. & C. Line previous to which I held a similar position in the Canadian Lines Ltd.,

Defendants' Exhibit 84.

11377

which was also managed as you are aware by Mr. Petersen. I have however now severed my connection with Mr. Petersen, but can still influence all the passenger agents on which he is depending for supply of passengers for his new Line. I feel sure that Mr. Shankland would lend me every assistance and as you can see I could be of great assistance to you, should you desire to take any steps to cripple this new venture of Mr. Petersen. I can also assure you of the support of Messrs. Shankland should you wish to place any obstacles in the way of Mr. Petersen securing the steamers mentioned.

11378

"Should you desire any further information I will be pleased to let you have full statement of affairs private or personal interview with yourself or any of your representatives."

Yours faithfully,

Sgd. E. J. HEINZ.

Herrn Ballin,

Hamburg-American Line,

Hamburg.

Respectfully,

H. PETERS.

11379

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
Recd. 18 Jan. 1909. Ansd.

11380

Defendants' Exhibit 85.

G. No. 333.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 19th, 1909.

To the Parties:

11381

Returned Emigrants. (G. No. 328.)

At the request of the Red Star Line the subject has
been put on the Agenda of the next meeting.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
Recd. 21 Jan., 1909. Ansd.

11382

Petitioner's Exhibit 1164.

11383

G. No. 334.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 19th, 1909.

To the Parties:

Compensation for fighting rates. (G. No. 288.)

11384

The N. D. Lloyd submit for distribution amongst the parties bill for 1133 adults, 150 children and 95 infants carried at fighting rates by S. S. Barbarossa August 6th 1908.

The carrying rate has been \$23.— against an ordinary rate of \$28.— the difference to be compensated is therefore \$5.— per adult = \$6040.—

The steamer has been appointed in competition against the Russia of which the parties had been advised by circular letters G. No. 220 and G. No. 225. Subject to my verifying the bill as to the number of passengers carried, the distribution of the amount in accordance with the percentages as per G. No. 318 is as follows:

11385

		To pay-To receive
Allan Line	4.42%	\$266.97
Anchor Line	3.51%	212.00
Cunard Line	13.50%	815.40
Hapag	11.03%	666.21
Nasm	5.45%	329.18
Lloyd	16.77%	1012.91
Red Star Line	7.64%	461.46
White Star Line	13.83%	835.33
		\$6040.—

11386

Petitioner's Exhibit 1164

American Line	7.78%	469.91
Dominion Line	1.34%	80.94
Canpac	4.01%	242.20
Transat	9.02%	544.81
Austrq	1.70%	102.68

 100.00 \$6040.00 \$6040.—

I would request to pay the above amounts to the Norddeutscher Lloyd. In the event of there being any more claims for compensation outstanding I shall be glad to get them without delay.

11387

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 21 Jan. 1909 Ansd.

11388

Defendants' Exhibit 86.

11389

G. No. 335.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 21st, 1909.

To the Parties:

Emigration to U. S. and Canada.

11390

The Red Star Line write (translated):

"Whilst generally there is to be observed a gratifying increase of emigration to the United States it may interest the Parties that according to reports from agents specially engaged in Canadian business the prospects for emigration to Canada are not encouraging."

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 23 Jan. 1909. Ansd.

11391

11392

Defendants' Exhibit 87.*G. No. 336.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 21st, 1909.

To the Parties:

Returned Emigrants. (G. No. 328.)

The Anchor Line write:

11393

"* * * The situation as described in the letter is not a new one. We have had passengers returned as insane, accompanied by attendants, and we were under the expense of forwarding both passengers and attendants to whatever port in Europe the passengers sailed from. This was an enormously expensive operation and to save this, as we understand it, the authorities at Newyork agreed to drop sending attendants, so long as the Ocean Lines agreed to become responsible to land the rejected passengers back in their own countries. Documents were prepared at Newyork handed to Commanders of Steamers. These documents had to be signed by the different officials handling the rejected passengers, and the final paper and to be signed by the authorities of the nation of the port the rejected passenger had first sailed from. This was taken as conclusive proof that the emigrant had been returned to his own land and was accepted as sufficient by the U. S. authorities, to whom all the documents had to be returned.

11394

"We are still working this rejected business as described, and we do not see that any action

Defendants' Exhibit 88

11395

that might yet be taken by the Lines in the United States ports would do any good. The opposite might be the result."

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 23 Jan. 1909. Ansd.

Defendants' Exhibit 88.

G. No. 337.

ATLANTIC CONFERENCE.

11396

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 23rd, 1909.

To the Parties:

Returned Emigrant. (G. No. 336.)

The White Star Line write:

"* * * we are interested to read the remarks of the French Line with regard to the requirements of the United States authorities for the return of deported passengers.

11397

"Up to the present we have experienced no difficulty since the inception of the present regulations in arranging for the return of deported passengers to the country of origin and the signing of the various official forms."

The matter is on the Agenda for next meeting and in the meantime I beg to refer to page 2 of Joint proceedings No. 10 of American Atlantic Conferences issued January 11th where also dealt with.

Respectfully,

H. PETERS.

11398

Defendants' Exhibit 89.*G. No. 338.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 25th, 1909.

To the Parties:

Newyork & Continental Line. (G. No. 332.)

The Hamburg America Line wish me to promulgate
 with regard to the Newyork & Continental Line the
 following communications:

11399

1) Letter of Mr. Heinz addressed to Director General Mr. Ballin.

Private.

"London E. C.

"Herr Ballin,

"Dear Sir,

11400

"Re. my favor of the 13th inst. I again beg to draw your attention to the fact that Mr. Petersen has signed the charter party for the 'Vulturno' and she is leaving London on the 31st inst. for Rotterdam sailing from there on the 6th February. Mr. Petersen left here on the 13th inst. for Copenhagen to arrange for the 'Burma' and another two funnel steamer twin screw and is expected back here tonight. I have seen the charter party of the S. S. 'Vulturno' and note that she can be sold at the end of any voyage, so she can be *bought away from him at any time.* I might mention that the Atlantic Express have booked up to Saturday last 200 Emigrants for the 6th February and another Agent here, a friend of

Defendants' Exhibit 80

11401

mine, has now 150 to offer which no doubt Mr. Petersen will close on on his arrival, but my friend is open to wait a day or two to hear from me before signing any agreement—so if you have anything to suggest—and will wire me at once I will hold him over for a while subject to your approval. Mr. Shankland still holds the 'Avoca' and 'Jelunga' which Mr. Petersen is trying to take over and unless some other firm comes forward he will be successful in getting both vessels within the next two weeks as he intends taking over the liabilities of the steamers. Mr. Peterson has £30,000 cash here in the British Linen Bank for Working Capital. I shall be pleased to give you further particulars if I could see your representative personally here any time. My telegraphic address is Heinz c/o Inciting—London.

11402

"Yours faithfully,
(Signed) "E. J. HEINZ."

2) Copy of a circular letter of Messrs. Petersen & Co. Ltd.

11403

"The North West Transport Line.
"6, Lloyd's Avenue,
"London, January 18th, 1909.

"Dear Sirs:

"We beg to advise you that we have completed arrangements to commence a regular fast Steamship Service under the above designation to trade between Hamburg, Rotterdam and New York, and vice versa, calling at Halifax (outwards only) to land passengers.

Defendants' Exhibit 89

11404

"The steamers of the Line have splendid accommodation for 1st, 2nd and 3rd Class Passengers, and our arrangements will also ensure every facility for rapid and efficient handling of all classes of cargo.

"We purpose despatching the Twin-Screw Steamer 'Volturno' from Rotterdam to New York, via Halifax, on the 6th February, to be followed by regular fortnightly sailings. For Freight, Passenger Rates and other particulars, please apply to the Head Office at the above address.

11405

"We are pleased to inform you that our Line has met with the most gratifying reception from numerous shippers on both sides of the Atlantic. We trust likewise, to be favoured with your support, and remain Dear Sirs.

"Yours faithfully,

For the North West Shipping Co., Limited,

"PETERSEN & CO. LIMITED,

"Managers."

11406

3) Copy of a press notice of the Daily Telegraph.

A Notice of "The Daily Telegraph" reads:

"Petersen & Co. (Ltd.) managers of the North-West Shipping Co. (Ltd.) announce that they have completed arrangements to commence a regular fast steamship service under the title of the North-West Transport Line, to trade between Hamburg, Rotterdam and New York and vice versa, calling at Halifax (outwards only) to land passengers. It is proposed to despatch the twin screw steamer 'Volturno' from Rotterdam to New York, via Hali-

Defendants' Exhibit 89

11407

fax, on February 6th, to be followed by regular fortnightly sailings."

On the same subject the Holland America Line write :

"G. No. 332.

"With regard to the reorganised New York & Continental Line which according to rumors will again be started next month, we beg to observe that same will probably rely chiefly on Hamburg for westbound and eastbound cargoes, same as last year, whereas as far as westbound passengers are concerned they will have no share of the Dutch emigration but they will receive their westbound passengers partly from London and partly through the well-known Swiss agents stationed at Basle, which passengers have to pass through Germany and Belgium before they reach Rotterdam. Once in Rotterdam, these passengers cannot be prevented from embarking on the steamers of the New York & Continental Line, provided the steamers meet the requirements.

11408

"It may be well to recall the results obtained by the New York & Continental Line last year Westbound :

11409

			Halifax	New York	Total
"Vulturno	March	21st	10	9	19
"Avoca	April	4th	10	14	24
"Jelunga	April	18th	19	6	25
"Vulturno	May	16th	45	55	100
"Jelunga	May	31st	47	43	90
"Jelunga	July	4th	123	177	300
"Vulturno	July	28th	104	66	170

Defendants' Exhibit 89

11410

"Eastbound, however, the results have been better for the New York and Continental Line:

"Voturno	from New York	April 12th	472
"Avoca	from New York	May 5th	745
"Jelunga	from New York	May 10th	721
"Voturno	from New York	June 6th	321
"Jelunga	from New York	June 20th	259
"Jelunga	from New York	July 28th	300
"Voturno	from New York	Aug. 22nd	302

11411

"Of course the greater facility of getting into touch with agents in the U. S. as compared with those in Europe, as well as the heavy east-bound movement of last summer generally must have contributed largely towards these comparatively high figures.

11412

"With regard to the letter written by a certain Mr. E. J. Heinz to Mr. Ballin, it will be of interest to the Lines to know that upon investigation we have learned that this Mr. Heinz is a former steward of Elder Dempster's Beaver Line. Since that Line was taken over by the C. P. R. he has not been in the employ of the latter, but seems to have drifted into the passenger business, and indeed has managed the New York & Continental Line's passenger business last year. In this capacity, all Mr. Heinz has done and had to do was to give exceedingly low rates and high commissions to the uncontrolled and undisciplined passenger agencies which flourish in Switzerland, and the business that has been done came practicably entirely from them, besides a certain number which came from London to Rotterdam. We all know too much of this kind of business to believe that Mr. Heinz should be able to influence these agents at Basle, especially now

Defendants' Exhibit 89

11413

that Mr. Petersen has severed his connections with him. Of course, we do not know for what reason Mr. Peterson has not kept this man Mr. Heinz, but according to information received from people who have come into contact with Mr. Heinz, the same seems to be of the kind with whom it is not advisable to enter into relation. We for our part, feel no inclination to have anything to do with him and we believe it would be advisable to leave his letter unanswered.

"With reference to the New York & Continental Line may add, that Mr. Petersen has great difficulty in finding a shipbroker in Rotterdam willing to take care of his interests. His former agents, Messrs. Otten & Son, have lost considerably in this venture and are still quite an amount of money out of pocket. Messrs Hudig & Veder who this time have been asked to act as agents, have just definitely declined to accept the agency. Under the present circumstances there is no likelihood that Mr. Petersen will find any one of good standing willing to take the agency; of course, this does not mean that he will not eventually find some second class firm."

11414

11415

It will be necessary to discuss the matter on the next meeting, for which it has been reserved.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 27 Jan. 1909. Ansd.

11416 **Petitioner's Exhibit 1165.**

G. No. 339.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 25th, 1909.

To the Parties:

A. C. Meeting.

11417

Enclosed I beg to hand the Agenda of the next meeting which is to take place at Paris Hotel *Meurice* on the 3rd February at 10 a. m.

Respectfully,

11418

ATLANTIC CONFERENCE

Agenda

of the Meeting in Paris, Hotel Meurice, on
3rd February 1909, 10 a. m.

- 1) Italian Business
- 2) Mediterranean II. class rates and commission.
(White Star Line)
- 3) Newyork & Continental Line. (G. No. 338,
332, 327.)
- 4) Agreement with Scandinavian American Line.
- 5) Limiting age of children rated at half fare to
1-8 years. (G. No. 324) 11420
- 6) Rate & Headtax for infants.
- 7) Revision of I. and II. Class Minimal rates.
- 8) Reduction of commission to 2% on first class
business done by Newyork Agents. (Minute
101)
- 9) Returned emigrants. (G. No. 337, 336, 333,
328.)
- 10) Charity children for Canada. (White Star
Line)
- 11) Minute 91. Pooling of cabin passengers. (G.
No. 315, 311.)
- 12) Disqualification of the tourist office "Vater-
land." (G. No. 305) 11421
- 13) Controlstations.
- 14) Alteration of Minute 103 *re* places of meetings.
Head-tax on Greek & Oriental business (via
Havre & Cherbourg)
Rating of S. S. Lapland
Greek rate. (Medtn service steamers)

Jena, January 25th, 1909.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 27 Jan. 1909 Ansd.

11422

Defendants' Exhibit 90.*G. No. 340.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 25th, 1909.

To the Parties:

11423

Canadian Pacific Employees.

The C. P. R. report 125 returning employees by S. S. "Empress of Britain," December 26th from Halifax which they have not included in their east-bound third class number.

With reference to these passengers the C. P. R. write:

"These Employees are British mechanics sent out last Summer during the strike in our Canadian workshops, the understanding with them being that if completing three months' work they would be returned to their homes. We therefore consider them exempt from *declaration* to the Conference."

11424

I am of opinion that these passengers don't *strictly* belong to these exempted under Minute 3 & 11. It being however an exceptional case I have put it on the agenda of the meeting on fifth February.

I take this opportunity to refer to Minute 91, Section 1 & 2 and to say that I have nothing heard on the points since the December meeting.

Respectfully,

Petitioner's Exhibit 1167.

11425

G. No. 341.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 26th, 1909.

To the Parties:

Payments to the Russian East Asiatic S. S. Co.

The Parties are informed that the Russian East Asiatic S. S. Co. have now signed the Agreement B. B. which I received yesterday.

11426

According to Form 25. No. 4 I beg to request the Parties for the following payments for the time from September 1st to December 31st being made

N. D. L. V. Lines	£ 1888.—.—
Allan Line	" 186.—.—
Anchor Line	" 156.—.—
American Line	" 345.—.—
Dominion Line	" 69.—.—
White Star Line	*" 602.—.—
Cunard Line	" 603.—.—
Can. Pac. Ry. Co.	" 167.—.—

 £4016

11427

The Lines will please send their remittance to me, as the Russian Line has requested me to send the amounts to a bank in Copenhagen.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 28 Jan. 1909 Ansd.

*Cheque sent 9/2/09 MW

11428

Petitioner's Exhibit 1166.

DUPLICATE.

For

From ISMAY, IMRIE & CO., Liverpool.

Passenger

9th. February, 9

H. Peters, Esq.,
 Secretary,
 Atlantic Conference,
 Jena.

11429 Dear Sir,

Enclosed we beg to hand you our cheque value
 £602.00 (Six hundred and two pounds) being our
 proportion of compensation due to the Russian East
 Asiatic Co. as per your circular letter G. 341 of the
 26th ulto.

Yours faithfully,

11430

Defendants' Exhibit 91.

11431

G. No. 342.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 27th, 1909.

To the Parties:

Returned Emigrants. (G. No. 328, 333, 336, 337.)

11432

The American Line write:

"We refer to your circular letter G. No. 328 of January 14th respecting returned emigrants, and note communication from the Compagnie Generale Transatlantique.

"When we have had the correct addresses given us of such returned emigrants we have had no difficulty in their actual forwarding to their homes, although we have been put in some cases to very considerable expense.

"We do not see any reason for such passengers being accompanied by attendants, as our experience when there have been attendants is that they have only involved additional cost to us and has not relieved us of much of the trouble connected with the forwarding, and we therefore should prefer the present system to continue rather than have attendants sent in charge of the returned passengers."

11433

Respectfully,

11434

Petitioner's Exhibit 1169.*Atlantic Conference**Agenda*

*of the Meeting in Paris, Hotel Meurice, on
3rd February 09.10 a. m.*

- (1) Italian Business.
- (2) Mediterranean II. class rates and commission.
(White Star Line.)
- (3) Newyork & Continental Line. (G. No. 338.
332. 327.)
- (4) Agreement with Scandinavian American Line.
- 11435 (5) Limiting age of children rated at half fare to
1-8 years. (G. No. 324.)
- (6) Rate & Headtax for infants.
- (7) Revision of I. and II. Class Minimal rates.
- (8) Reduction of commission to 2% on first class
business done by Newyork Agents. (Minute 101.)
- (9) Returned emigrants. (G. No. 337. 336. 333.
328.)
- (10) Charity children for Canada. (White Star
Line.)
- (11) Minute 91. Pooling of cabin passengers. (G.
No. 315. 311.)
- (12) Disqualification of the tourist office "Vater-
land." (G. No. 305.)
- 11436 (13) Controlstations.
- (14) Alteration of Minute 103 re places of meet-
ings.
- (15) Charity Children to Canada from Dr. Bar-
nardo's Homes. Application for the exclusion of this
special traffic from the Pool. (Dominion Line.)
- (16) French Line's headtax on Italians and Ori-
entals. (British Lines.)

Jena, January 27th, 1909.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 29 Jan. 1909 Ansd.

Defendants' Exhibit 92.

11437

G. No. 343.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 28th, 1909.

To the Parties:

Agenda of Paris Meeting.

11438

As the Dominion Line have requested me to place
on the Agenda for consideration of the next meeting
February 3rd the following subject:

"Charity children to Canada from Dr.
Barnardo's Homes. Application for the ex-
clusion of this special traffic from the Pool."

and I further received telegram from the Secretary of
the British Lines, reading:

"French Line headtax Italian Orientals
please add to Agenda."

the Parties will please find enclosed the agenda com-
pleted accordingly. 11439

Respectfully,

H. PETERS.
p. T. P.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 29 Jan. 1909 Ansd.

11440

Petitioner's Exhibit 1168.*G. No. 344.*

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, February 2nd, 1909.

To the Parties:

New York-Continental Line. (G. No. 332.)

The Russia America Line write:

11441

"G. No. 332. Observing that the Atlantic Express, Rotterdam, is mentioned as passenger agents for the New York and Continental Line, we beg to inform you that as long as we were in connection with Messrs Karlsberg, Spiro & Co., i. e. from 1/1 to 1/5, 1908, this office belonged to Messrs Karlsberg & Co., Hamburg, and was managed by a certain Mr. Landy.

"Should this still be the case, the parties might lay a stress upon Messrs. Karlsberg & Co., who we understand are Conference agents, to the effect that the Atlantic Express does not take over the above-named agency."

11442

The Russia America Line further write that Messrs. Karlsberg, Spiro & Co. have associated themselves with the firm Knie, Falk & Co. and that the latter as non Conference agents are at liberty to do whatever they please.

I shall be glad to know what steps the lines propose to be taken.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 4 Feb. 1909 Ansd.

Petitioner's Exhibit 1170.

11443

G. No. 345.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 4th, 1909.

To the Parties:

New York and Continental Line.

11444

Mr. Ballin sends me for promulgation the following letter addressed on 29th January:

"Dear Sir,

"I beg to acknowledge receipt of your wire enquiring the period for which the 'Vulturno' had been chartered and whether Owners would entertain a charter on expiry of same. The 'Vulturno' has apparently been fixed on what may be called the hire-purchase system for a period of two years but I understand that Owners have on this occasion inserted a proviso in the Charter Party that should they have an offer of purchase at their price of £55,000 they can withdraw the boat, on certain terms, leaving Mr. Petersen to find other tonnage to carry on his Line. The price of £600 per month is of course very high and we presume could not be entertained for such a boat as the 'Vulturno' (which we think is of too weak power to be a profitable boat in the Atlantic trade) unless the payments made were to be hereafter taken into account in price.

11445

11446

Petitioner's Exhibit 1170

"I have not heard anything further with regard to the 'Avoca,' and 'Jelunga' but it is generally credited here that Mr. Petersen will be able to straighten out the various difficulties and get these boats or the 'Birma.' Possibly the 'Jelunga' will be left out and the 'Birma' substituted.

11447

"So far as I can tell the 'Voluturno' will take passengers from the Hook of Holland only. For every succeeding steamer the programme I believe is to load at Hamburg and Rotterdam taking passengers who will be brought down by sea from the Russian Baltic ports at Hamburg and the rail passengers at the Hook. There are also schemes with regard to Hull and London; I do not think however that the latter Line will be started at present. Probably however they will endeavor to intercept some passengers at Hull and Grimsby and send them across to Rotterdam.

I am, Dear Sir,
Yours faithfully,"

Respectfully,

11448 (Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 6 Feb. 1909 Ansd.

Defendants' Exhibit 93.

11449

G. No. 346.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 11th, 1909.

To the Parties:

Returned emigrants. (G. No. 342.)

I beg to promulgate yet the following letters which
 I received on the subject from

1) American Line, L'pool:

11450

"Referring to your G. No. 342 of 27th instant we, like our Southampton and White Star friends have been able without any difficulty to arrange for the transportation of such emigrants to the point from which they came, and to obtain the necessary signatures to the U. S. forms."

2) Russian America Line:

"By the present we beg to inform you, that up to now we have met with no difficulties on this point. We generally hand over such passengers to the local branch of the Jewish Colonisation Association or other philanthropic institution against their receipt, which we then return to the American authorities."

11451

The question is on the Agenda of the next meeting which according to Minute 103 has to take place on the 25th of March.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 13 Feb. 1909 Ansd.

11452

Petitioner's Exhibit 1171.*G. No. 347.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 12th, 1909.

To the Parties:

11453

Monthly Statements for January.

I beg to send to-day the Monthly Statements for January and in conformity with the Summary I have to request the Parties for the following payments being made:

	Continental Lines to Allan Line	£ 2205.—.—
	" " " Anchor Line	" 1053.—.—
	" " " Dominion Line	" 4548.—.—
	" " " White Star Line	" 2724.—.—
	" " " Cunard Line	" 7394.—.—
	" " " Donaldson Line	" 196.—.
	American Line " White Star Line	" 477.—.
11454	Canadian Pac. Ry. Co. to White Star Line	" 1828.—.—

I shall remit the amounts of the Continental Lines as soon as received.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 15 Feb. 1909 Ansd.

Petitioner's Exhibit 1317.

11455

G. No. 348.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, February 12th, 1909.

To the Parties:

The Allan Line write:

"In accordance with Byelaw No. 10 in Appendix 2 to Agreement 'A. A.' we beg to give formal notice of our intention to withdraw from this contract on the expiry of three months from the date of your receipt of this notice on account of the action of the White Star Line establishing a new direct competitive line in the North Atlantic steerage business between the ports of Liverpool and Montreal, which are home ports of the Allan Line. This notice is subject to withdrawal in the event of the Arbitration which has been arranged on this question deciding that it is incompetent for the White Star Line to continue a Canadian service."

11456

11457

Respectfully,

(Stamped): North Atlantic Passenger Conference.
Received 15-2-1909 Acknl'd 1909 Answered 1909

11458

Petitioner's Exhibit 1318.*G. No. 349.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 13th, 1909.

To the Parties:

11459

Payments to the Russian East Asiatic S. S. Co.

According to Form 35 No. 1 I beg to request the
 Parties for the following payments being made for
 the month of January:

N. D. L. V. Lines	£ 1124.—.—
Allan Line	" 42.—.—
Anchor Line	" 71.—.—
American Line	" 145.—.—
Dominion Line	" 69.—.—
White Star Line	" 218.—.—
Cunard Line	" 283.—.—
Canadian Pacific Ry. Co.	" 31.—.—

11460

 £ 1984.—.—

The Lines will please remit me the amounts in due
 time.

Respectfully,

(Stamped): North Atlantic Received 15-2-1909
 Acknl'd 1909 Answered 1909 Passenger Con-
 ference.

Petitioner's Exhibit 1172.

11461

No. 350.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, February 13th, 1909.

To the Parties:

Canadian Pacific employees.

11462

The Norddeutscher Lloyd write:

"Referring to circular letter G. No. 340 we presume that the passengers in question were employed in the workshops of the Canadian Pacific Railway and had nothing to do with the Canadian Pacific Steamship Line. If this is the case, we think there can be no doubt that they have to be accounted for under the east-bound pool. We would advise to have this matter placed on the Agenda of next meeting."

The matter will be reserved for discussion at the next meeting.

11463

Respectfully,

11464

Petitioner's Exhibit 1173.*G. No. 351.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 13th, 1909.

To the Parties:

11465

Northwest Transport Line.

I received yesterday from Mr. Sandford the following cable:

"Voluturno advertised 27 February Rotterdam 28 Antwerp 29 Hamburg Bremen 30, Commission 3. Continentals ask shall small committee work resume."

To this replies have been received from

Hapag:

"Agree Sandfords proposal."

11466

Star:

"Are in favor to reinstate small committee and Byelaw 22."

Lloyd:

"Understand, what is asked, is to put fighting steamers on the berth against the Northwest Transport Line and think the experience of last year in this respect not very encouraging. They do not believe that the Northwest Transport Line will be able to do much harm

Petitioner's Exhibit 1173

11467

to the Conference Lines after a normal state of things has been restored and that they hardly will be able to attract greater numbers of passengers for their very inferior steamers even with a commission of \$3. Lloyd propose therefore for the present to abstain from measures of that kind."

Will the other Lines please let me have their views too.

I still beg to add the following telegram from the Hamburg Line:

"Richards issued circular announcing organization Northwest Transport Line, regular passenger service New York Rotterdam, Steamers Uranium, Hellium, Tithanium, Volturno, Avoca."

11468

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 16 Feb., 1909. Ansd.

11469

11470

Petitioner's Exhibit 1174.*G. No. 352.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 15th, 1909.

To the Parties:

Communications to the Press.

11471

The Red Star Line request me to promulgate their following letter:

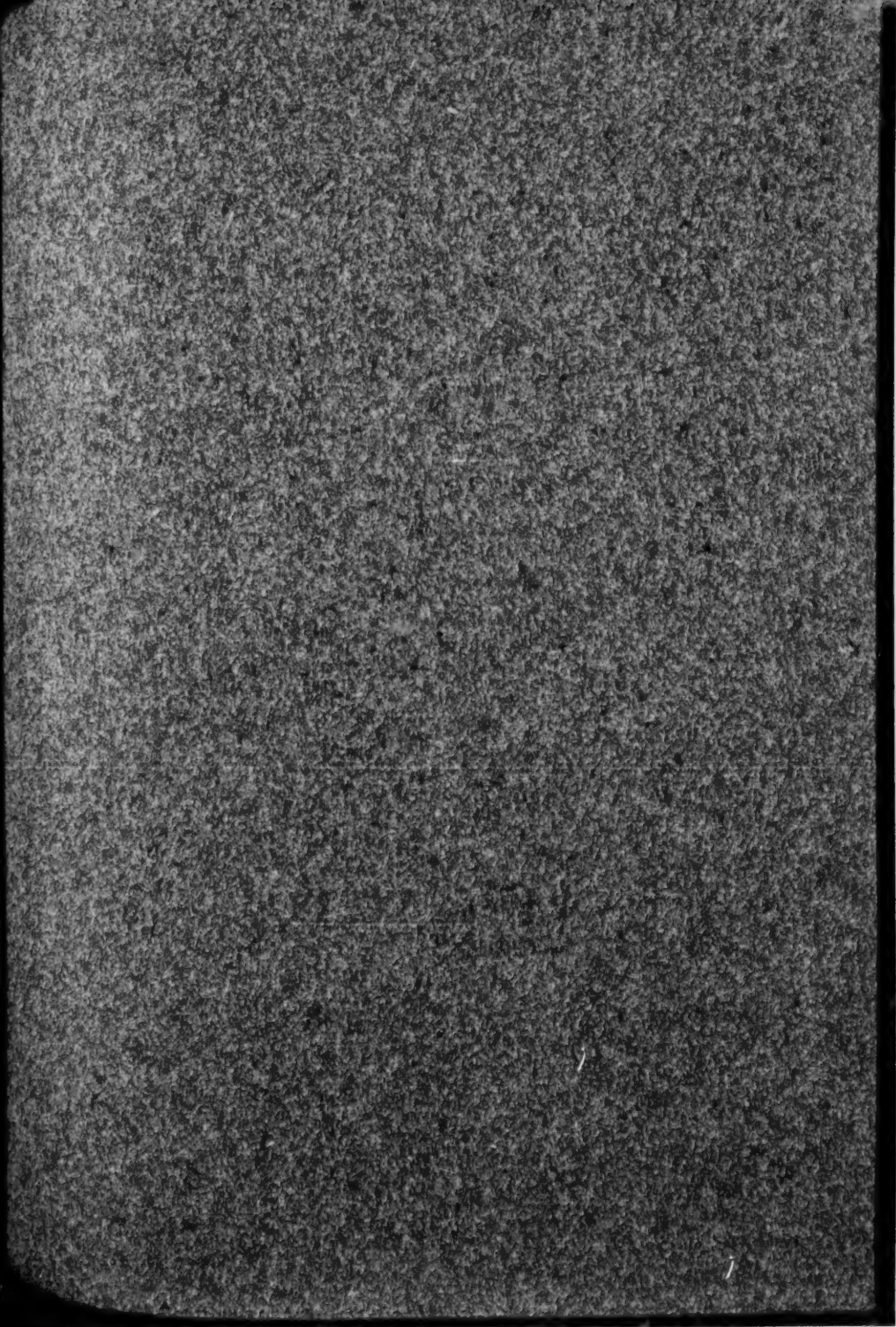
"..... Enclosed is a further article of the Kölnische Zeitung of February 11th, dated Hamburg 9th February which amongst others touches the Hungarian question and, just like the previous articles, with so intimate knowledge, that it could only be acquired by indiscretion from parties concerned. Which side ever may commit these indiscretions we consider them thoroughly tactless and against agreements.

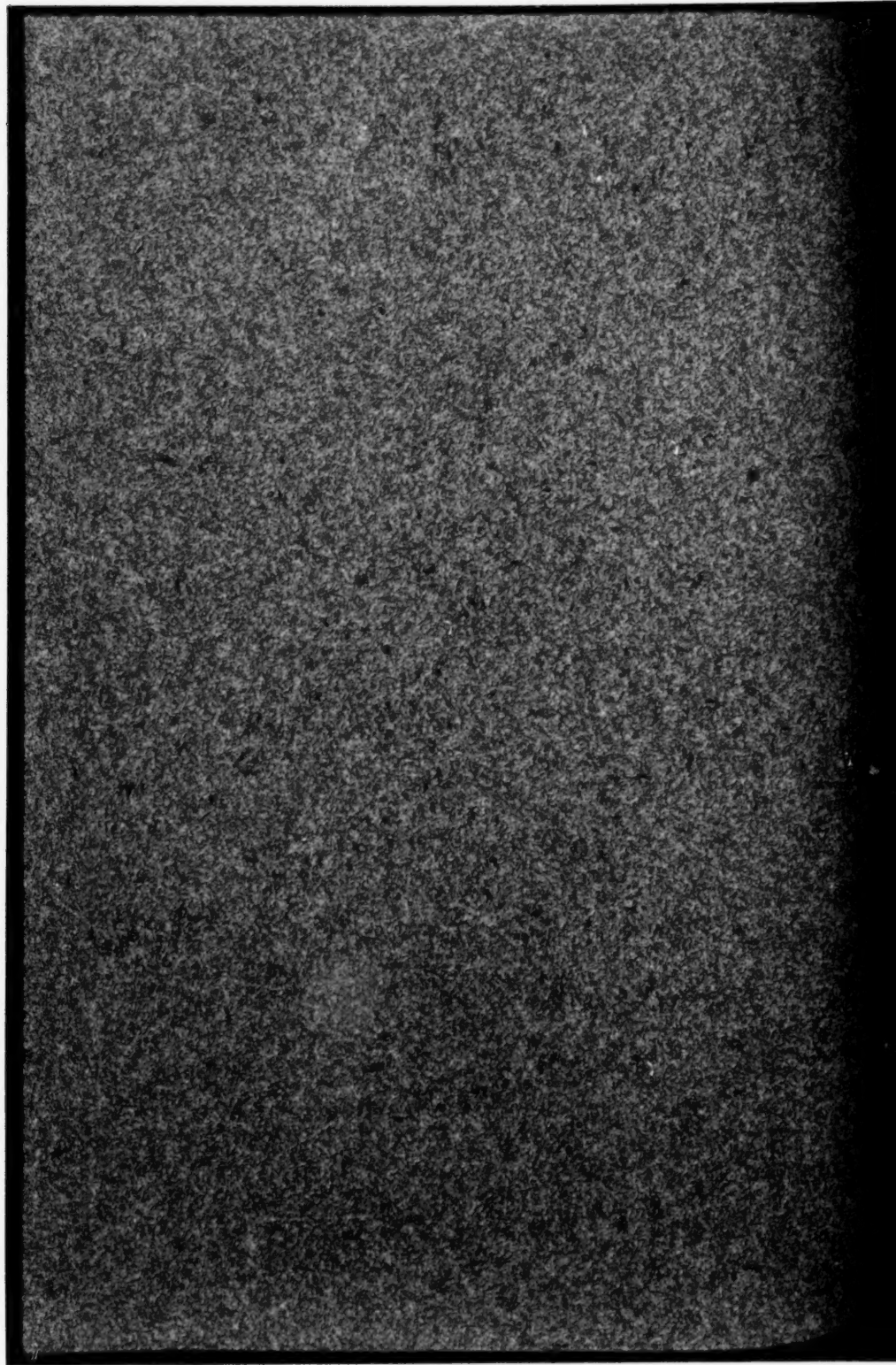
11472

"We request you to promulgate this letter by a G circular, so the British Lines which also have already complained are informed."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 17 Feb. 1909 Ansd.





TRANSCRIPT OF RECORD

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1915.

No. 289.

THE UNITED STATES OF AMERICA, APPELLANT,

vs.

HAMBURG-AMERIKANISCHE PACKETFAHRT ACTIEN-
GESELLSCHAFT ET AL.

Filed November 12, 1914.

File No. 24529.

Term No. 332.

HAMBURG-AMERIKANISCHE PACKETFAHRT ACTIEN-
GESELLSCHAFT ET AL., APPELLANTS,

vs.

THE UNITED STATES OF AMERICA ET AL.

Filed January 21, 1915.

APPEALS FROM THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF NEW YORK.

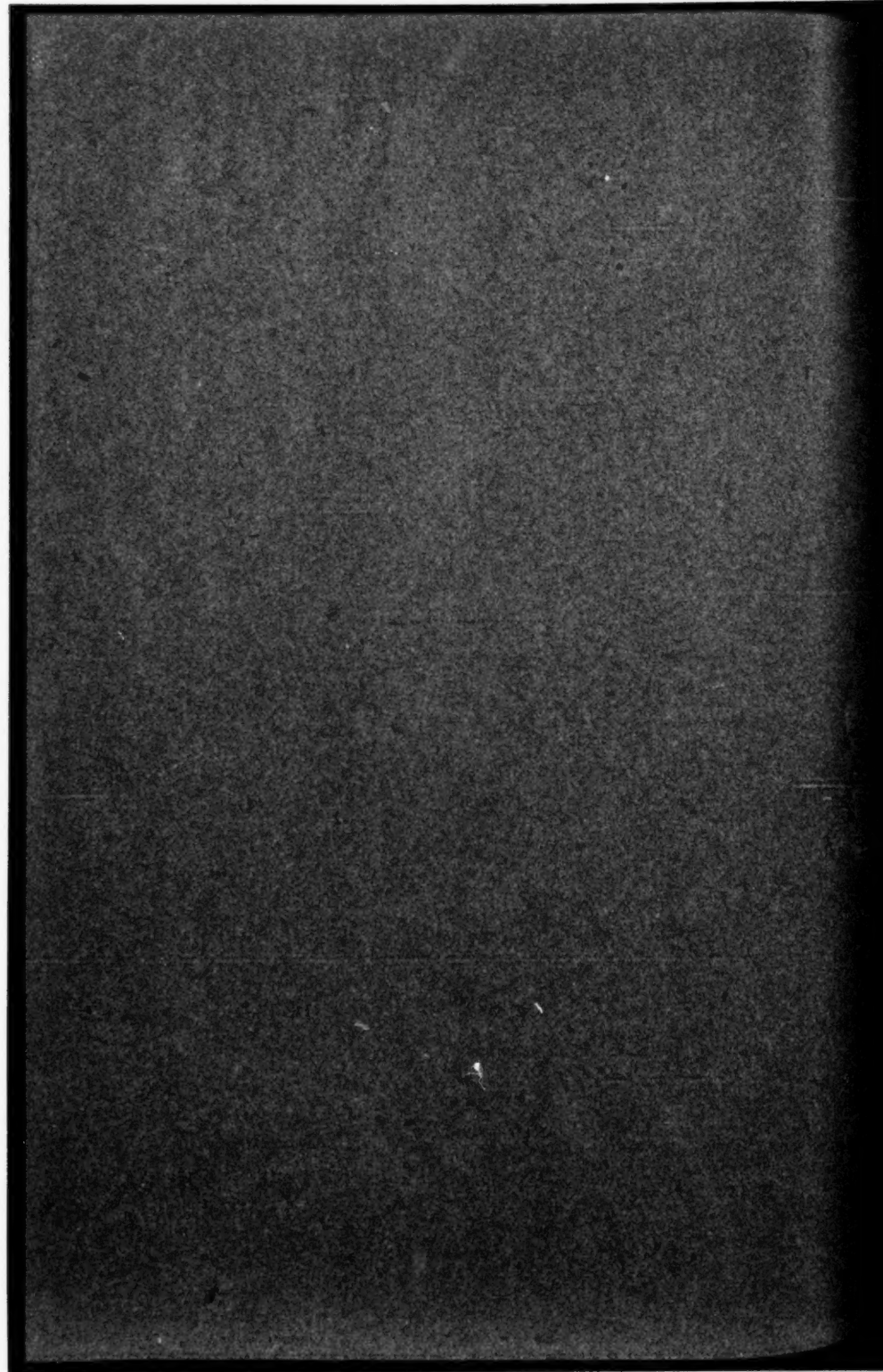
VOLUME 2.

PREPARED BY AND REPRODUCED BY

THE COURT REPORTERS

OF THE DISTRICT COURT

(24446 and 24529)



In Equity

IN THE
SUPREME COURT OF THE UNITED STATES

THE UNITED STATES OF AMERICA,

Petitioner Appellant

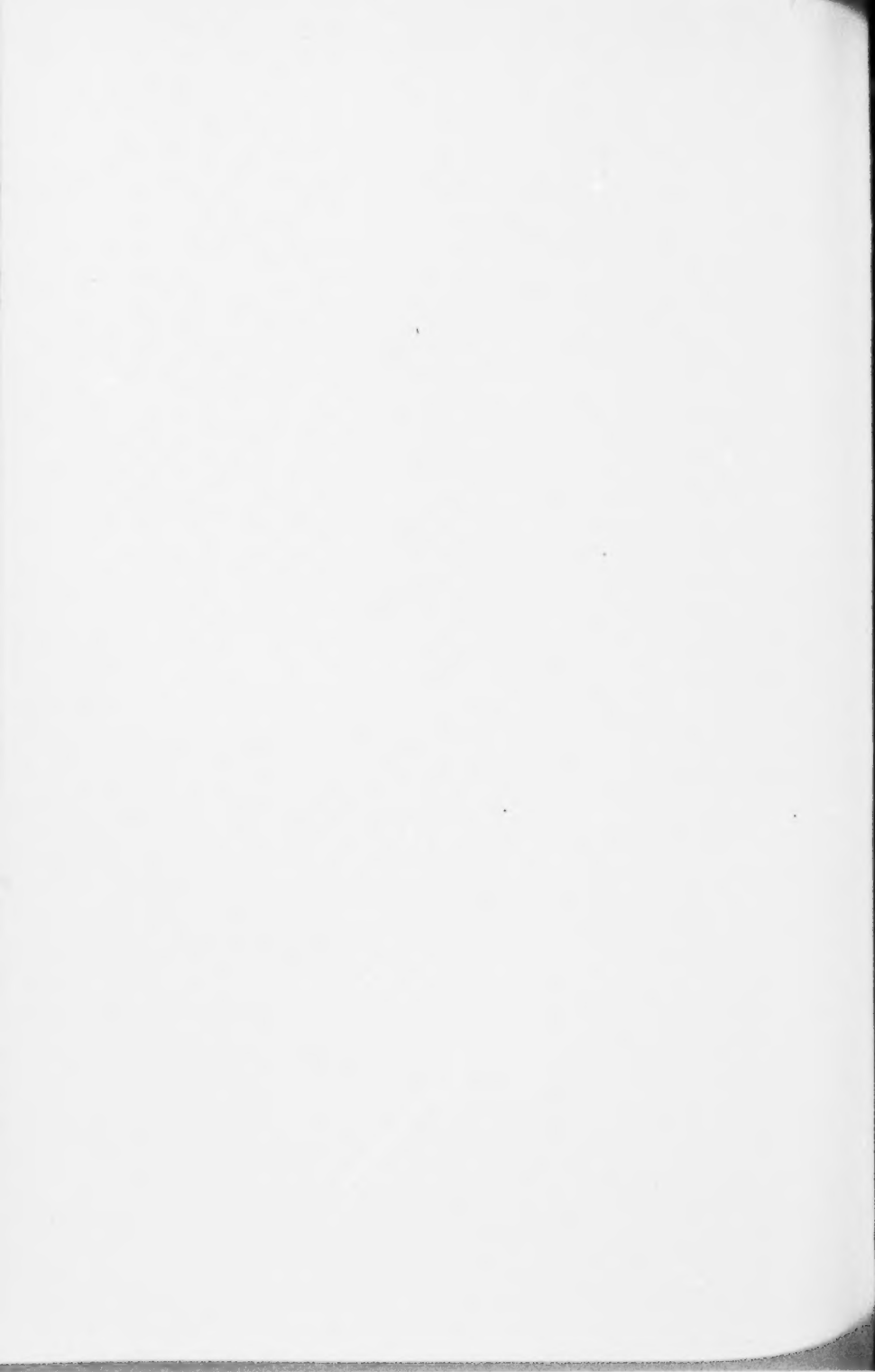
vs.

HAMBURG AMERIKANISCHE PACKETFAHRT-ACTIEN-
GESELLSCHAFT, and others,

Defendants Appellees

PETITIONER'S AND DEFENDANT'S
EXHIBITS
PETER LETTERS

VOLUME VII



**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK.**

UNITED STATES OF AMERICA, PETITIONER,

against

HAMBURG-AMERIKANISCHE PACKET-
FAHRT-ACTIEN-GESELLSCHAFT,
AND OTHERS, DEFENDANTS.

EXHIBITS.
VOLUME VIII.



Petitioner's Exhibit 1319.

11473

G. No. 353.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 16th, 1909.

To the Parties:

Allan Line's Notice. (G. No. 348)

11474

On this subject the following Lines have put forward their views:

Hapag:

"We herewith formally protest against the notice of withdrawal of the Allan Line from the Atlantic Conference Agreement as communicated in circular-letter G. No. 348. It is for the arbitrator to decide whether the establishment of a Canadian Service by the White Star Line, or correctly speaking, the continuation of the Dominion Line Canadian Service by the White Star Line, both Lines being incorporated in the International Mercantile Marine Company, is against the wording or spirit of the A. C. Agreement, as the Allan Line claims. In case of the Arbitrator endorsing the view expressed by the great majority of Conference Members that the White Star Canadian Service cannot be considered a new competition in the sense and meaning of Byelaw 10 Agreement A.A. provided of course the steeragers carried are accounted for to the Pool, the complaint of the Allan Line falls to

11475

11476

Petitioner's Exhibit 1319

the ground. Giving the notice for this contingency is equivalent to an expression of non-submission to an unfavorable award and, if acted upon, would, in our opinion, constitute a violation of the Atlantic Conference Agreement."

Lloyd:

11477

"With reference to circular letter G. No. 348 we must take exception to the Allan Line claiming the right to withdraw from Agreement A.A. owing to the Dominion Line transferring part of their Canadian Service to the White Star Line, and consequently cannot accept their notice of withdrawal from said Agreement. The term 'new direct' competitive Line' as it appears in Byelaw 10 to Agreement A.A. in our opinion only refers to Lines not forming part of said agreement and interfering with the interests of the Lines in general. Besides there can be no question of a new competing Line in the sense of Agreement A.A. as the I. M. M. C. who signed the agreement as such and not on behalf of the individual Lines forming part of it, have always maintained a service between Liverpool and Montreal."

11478

Respectfully,

H. PETERS.

(Stamped): Received 18 Feb 1909 Ansd.

Petitioner's Exhibit 1320.

11479

G. No. 354.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 16th, 1909.

To the Parties:

Rating S. S. "Lapland."

11480

Enclosed I beg to hand copy of the arbitrator's
 award *re* S. S. "Lapland." The Red Star Line will
 please send me a Cheque for £3.3.—for the arbitrator.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 18/2 1909. Acknl'd. 1909. An-
 swered 1909.

11481

11482

Petitioner's Exhibit 1321.*Appendix to G. No. 354.*

The Moorings
 Basset,
 Southampton.
 February 13th, 1909.

I am asked to settle the First and Second-Class Rates to be charged for the S. S. "Lapland" by the Red Star Line.

11483

For the reasons stated in my Award of the 14th January, concerning "George Washington," "Berlin," "Cleveland" and "Cincinnati," I do not fix definite rates for the "Lapland" but only the rates to be charged for that steamer during 1909 and having regard to the statements submitted by the parties and to her being run in the Red Star Line Service I award that the rates to be charged by the Red Star Line for the "Lapland" during 1909 be:

First-Class—£19.

Second-Class—Continent—£11.

Second-Class—Great Britain—£10:10:0.

HY. WILDING.

11484

My fee £3:3—to be paid by the Red Star Line.

Petitioner's Exhibit 1175.

11485

G. No. 355.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 16th, 1909.

To the Parties:

Northwest Transport Line. (G. No. 351)

11486

The Holland America Line sent the following wire:

"G. 351 strongly recommend reinstate small committee and Byelaw 22 it is most desirable that if any action against Northwest Transport Line is judged necessary by Newyork managers to oppose right from the start that company's actions they should be in position to do, hope Lloyd will withdraw their objections."

I am waiting to learn what the views of the British Lines are, and as, if action is to be taken at all, this must be done promptly as "Voluturno" is to sail 27th instant I wire to Secretary Smyth.

11487

Of the 284 passengers sailed westbound by the "Voluturno" 6th instant, 100 were in destination for Halifax.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 18 Feb. 1909 Ansd.

11488

Petitioner's Exhibit 1176.*G. No. 356.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 17th, 1909.

To the Parties:

11489

North West Transport Line. (G. No. 355)

The Red Star Line send me the following report of arrivals at Antwerp of steeragers for the North West Transport Line:

February	9th	18/1
"	11th	17/1
"	12th	17/1, 1/2
"	13th	22/1, 4/2
"	14th	21/1
"	15th	24/1

 119/1, 5/2

11490

All of which were booked by the Universal Reisebureau Müller & Co., Vienna for the Atlantic Express.

Besides there arrived at Antwerp on February 9th 26 passengers of the Reisebureau "Vaterland" Rotterdam for "Union Ticket Office" in destination for the Anchor Line. It is conjectured that these 26 passengers arrived too late for the "Voturno" and were turned over to the Anchor Line through the Union ticket office in order to save the expenses for board & lodging.

If the North West Transport Line are making headway as above they have good chance that their next

Petitioner's Exhibit 1176

11491

steamer will be filled thanks a good deal to the want of unanimity on the part of the A. C. Lines in dealing energetically with unreliable agents.

I asked Secretary Sandford on 12th inst. if the Conference agents are allowed to work for non-Conference Lines to which he replied: "Continental, Northatlantic circular reissuing prohibiting agents work non-conference Lines."

The Canadian Pacific write with reference to G. No. 351:

"We are at one with the Norddeutscher Lloyd in thinking that the Northwest Transport Line are not likely to do much harm after a normal state of things has been restored, and we are not in favor of putting any fighting steamers on the berth to meet this opposition."

11492

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 19 Feb. 1909. Ansd.

11493

11494

Petitioner's Exhibit 1177.*G. No. 357.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 18th, 1909.

To the Parties:

North West Shipping Co. (G. No. 356).

The Hamburg-American Line send me for promulgation annexed copy of a letter which they have received and they write:

11495

"We beg to remark that we do not think it advisable to consider the proposal made therein viz. to meet the North West Shipping Co.'s competition by inducing their agents to give up the agency of that company or to try to take passengers away from them by underquoting rates. To secure passengers at such low rates as mentioned in the annexed letter would of course be very easy but it would not do any harm to the North West Shipping Co. and simply benefit agents. In our opinion the only forcible means to meet the competition of the North West Shipping Co. would be to put an opposition steamer on the berth against their steamers in conformity with Atlantic Conference Byelaw 22."

11496

With reference to the latter part of this letter Lloyd say that if the B. L. concur with the view of the other Continental Lines that byelaw 22 should be made operative again, they will not oppose, although they don't expect a favorable effect.

I await to hear what the position of the British Lines in this respect is.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 22 Feb. 1909. Ansd.

Petitioner's Exhibit 1178.

11497

*Annex to G. No. 357. 18.2.09.**Copy*

57 Leadenhall Street,
London, February 9th, 1909.

Gentlemen:

I have had an interview with one of Mr. Petersen's passenger agents (and at the same time my friend). He, the agent, is quite willing to transfer 95% of his traffic to me provided I can give him as low a rate as the North West Shipping Co., *i. e.* £4—nett off Grimsby or London, for Canadian passengers and £4. 5—nett U. S. A. passengers off Grimsby or London.

11498

To do this you would require to put me in a position to book passengers by one of your steamers leaving about the same date as North West Shipping Co. steamer. I have up to date here 100 passengers which I could transfer at once and probably by the 20th inst. will have a further 100 which in event of your not putting me in a position to accept them they will go to the North West Shipping Co. In addition to this I could secure the greater portion of the "Atlantic Express" passengers but I would in this case require to be in Rotterdam and have an office there and to be put in a similar position as here, I could of course get a much better rate from Rotterdam—Petersen's rate at present is £5.17.6. nett from that port.

11499

Should my suggestions meet with your approval I will be pleased to go further into details with you at once or on the other hand I will be pleased to act on any suggestions you may put forward in this matter—if you desire me to secure the present passengers it will be necessary for me to act promptly—Mr. Petersen has a steamer for his second sailing (20th or 27th inst.) which is fitted for 700 passengers—up to the present, however, I have not been able to ascertain her name.

11500

Petitioner's Exhibit 1179.*G. No. 358.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 18th, 1909

To the Parties:

11501

North West Transport Line (G. No. 356)

Amongst the passengers embarked at Rotterdam by the "Voluturno" February 6th there were amongst others 47/1 7/2 in destination for Halifax, whose last residence is given as Liverpool and whom by their names I guess to be of some Balkan or Oriental nationality. It may be of interest specially to the Canadian Lines to see these passengers pass their doors.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 22 Feb. 1909. Ansd.

11502

Petitioner's Exhibit 1180.

11503

G. No. 359.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 19th, 1909.

To the Parties:

North West Shipping Co. (G. No. 357.)

With reference to the question of making Byelaw 22 effective again (which had been cancelled by the Allan Line, G. No. 314) I have to inform the Parties, that not only the Canadian Pacific are not in favor of appointing fighting steamers (G. No. 356) but that also the Allan Line decline to join in any such arrangement.

11504

The Holland Amerika Line write:

"The passengers which now arrive for Landy he evidently intends to keep here for the next sailing of the North West Transport Line, for nothing transpires that of the passengers arrived here after February 6th a single one had been shipped by some other Line.

"S. S. 'Avoca' undergoing repairs here, which apparently are heavy and therefore nothing has been advertised yet about the next sailing."

11505

Hapag yesterday sent me the following telegram:

"It is rumoured the next sailing of the North West Shipping Co. will be 26th from Hamburg 27th from Rotterdam by S. S. 'San Domingo' ex 'Raglan-Castle.'"

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 22 Feb. 1908. Ansd.

11506

Petitioner's Exhibit 1322.

G. No. 360.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 20th, 1909.

To the Parties:

Allan Line's notice. (G. No. 353)

11507

The Holland Amerika Line write:

"We herewith beg to say that in respect of the Allan Line's notice of withdrawal from the Atlantic Conference Agreement, as communicated in your circular letter G. No. 348, we fully endorse the views of the Norddeutscher Lloyd and the Hamburg-American Line, as set forth in G. No. 353 and join in the protest against the standpoint taken by the Allan Line."

Respectfully,

(Stamped): North Atlantic Passenger Conference
 11508 Received 22/2—1909. Acknl'd 1909 An-
 swered 1909.

Petitioner's Exhibit 1181.

11509

G. No. 361.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, February 20th, 1909.

To the Parties:

Communications to the Press. (G. No. 352.) 11510

Lloyd write:

"With reference to circular letter G. No. 353 we wish to state that we have neither caused the article in question to appear nor have we any other connection whatsoever, directly or indirectly with the publication thereof.

"We should be glad if you would obtain a similar declaration from the other Lines concerned."

Respectfully,

(Stamp): Ismay, Imrie & Co. Passenger Dept. Recd. 11511
22 Feb., 1909. Ansd.

11512

Petitioner's Exhibit 1182.*No. 362.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 22nd, 1909.

To the Parties:

(G. No. 359.)

11513

The rumor mentioned in the Hapag telegram G. No. 359 is now confirmed by the Holland Amerika Line.

S. S. "San Domingo" (ex Raglan Castle) is built in Glasgow, 1897, 4333 Tons Register 2783 net; owners Barclay, Curle & Co. Glasgow.

It is said that 5/600 steeragers are expected for her sailing 27th from Rotterdam. all of which are to be embarked at Rotterdam.

Respectfully,

(Stamp): Ismay, Imrie & Co. Passenger Dept. Recd.
 24 Feb., 1909. Ansd.

11514

Petitioner's Exhibit 1323.

11515

G. No. 363.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, February 23th, 1909.

To the Parties:

Allan Line's notice. (G. No. 360.)

The Allan Line write:

"Referring to your G. No. 353, we note that the Hamburg American Line have misunderstood the position. We have been advised that the pending arbitration between ourselves and the White Star Line cannot possibly deal with the question of our right to retire from the Conference in accordance with Byelaw No. 10, as that would be a question not between ourselves and the White Star Line, but between ourselves and the whole of the Conference Lines. Our notice reserving this right is, therefore, not an expression of non-submission to an unfavorable award. We have given the notice because we have ascertained that the award by the Arbitrator in the present case cannot deal with the matter in question. If the other Conference Lines were willing that the question of our right to retire under Byelaw 10 should be submitted as an additional question to the Arbitrator appointed to decide between ourselves and the White Star Line, and decided by him, we would of course be willing to accept his decision. Otherwise our claim of the right to withdraw, if not admitted by the Conference Lines, may probably have to be decided by a second arbitration."

11516

11517

Respectfully,

(Stamped): North Atlantic Passenger Conference
Received 25/2, 1909 Ackn'd 1909 answered 1909.

11518

Petitioner's Exhibit 1183.*G. No. 364.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 25th, 1909.

To the Parties:

11519 *Communications to the Press. (G. No. 361.)*

Referring to G. No. 361 the Hamburg American Line write, that in compliance with the wish of the Lloyd they make for themselves the same declaration as Lloyd.

The Cunard Line write that they have no knowledge of the origination.

Several of the Parties having asked me for a copy of the article in question I am sorry I have it not on hand.

Respectfully,

H. PETERS.

11520

White Star:

"* * * like the Lloyd, we wish to state that under no circumstances would we make any communication, directly or indirectly, as we consider such action very prejudicial to the interests of the Lines."

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 1 Mar. 1909. Ansd.

Petitioner's Exhibit 1324.

11521

G. No. 365.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, February 26th, 1909.

To the Parties:

North West Transport Line.

11522

According to reports received from the Red Star Line there arrived at Antwerp for the "Atlantic Express Co." resp. the North West Transport Line:

February 9th 18 Passengers

"	11th	17	"
"	12th	17 1/2	"
"	13th	22; 4/2	"
"	14th	21	"
"	15th	24	"
"	16th	14	"
"	18th	40	"
"	19th	38	"
"	20th	20; 6/2	"
"	21st	7	"
"	22nd	34	"

11523

all of which were booked by the Universal-Reisebureau Vienna.

Besides 28 passengers for the North West Transport passed Antwerp which were booked by P. Zürcher, Chiasso.

All the passengers booked by the Universal-Reisebureau are sent via Basle, where Ludwig Hess, a

Petitioner's Exhibit 1324

11524

representative of the agent P. Zürcher of Chiasso act as forwarding agent.

The Red Star Line now write with reference to G. No. 357:

11525

"Accepting passengers from agents working for the North Western Line at the same rates as quoted by the North Western would strengthen these agents and weaken our own. We think that any agent interested in passengers for the North Western should be disqualified and such disqualification should be strictly enforced so that such disqualified agents would have no chance to get off the passengers who do not catch the scarce & irregular sailings of the North Western. We have seen that recently the Anchor Line accepted such passengers through their Antwerp agents, which should not be. We, therefore, propose for disqualification.

"Universal-Reisebureau (Onciul) in Vienna

"also any other agent, who shall be found to have procured passengers for the North Western.

11526

"For Eastbound business the situation is different & we continue to believe that Byelaw 22 is the best measure the Lines can adopt."

As far as the Universal-Reisebureau (Onciul) Vienna is concerned the Continental Lines agree that it has to be disqualified, provided the British Lines will join. It has also been moved to disqualify the agent Zürcher of Chiasso and several of the Continental Lines have already agreed. I await to hear if the British Lines concur.

Respectfully,

H. PETERS.

(Stamped): Received 1 Mar. 1909 Ansd.

Defendants' Exhibit 94.

11527

G. No. 366.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, February 26th, 1909.

To the Parties:

Mr. Ballin cables me from New York that it would be a great convenience to him, if the next Atlantic Conference Meeting which has to take place at London on March 25th could be arranged to be held on the Continent. I therefore beg to ask if the Parties can see their way to oblige Mr. Ballin, in which case I would propose Brussels as a convenient place if Paris is not preferred.

11528

I take it for granted if the next meeting is held on the Continent, there will be no objection to the two following meetings being held in London.

Respectfully,

(Stamp): Ismay, Imrie & Co. Passenger Dept. Recd.
1 Mar., 1909. Ansd.

11529

11530

Petitioner's Exhibit 1184.

G. No. 367.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 27th, 1909.

To the Parties:

Russian Volunteer Fleet.

11531

The Hamburg American Line reported on 20th inst. that the "Libauische Zeitung" of 16th inst. contained the following article:

"Resumption of the trips of the Volunteer Fleet between Libau & Newyork."

11532

"The Port authorities here received today an official telegram from the inspector of the Volunteer Fleet in Petersburg, by which the rumour that the Line Libau-Newyork of the Volunteer Fleet will be resumed in the second half of the year is fully corroborated."

Hapag asked me to ascertain what truth there is in the report and I wrote to the Russian Eastasiatic. Before my letter reached them they write:

"Privately we are informed that Mr. Samuel Freyberg of the Firm Karlsberg, Spiro & Co. and Robert Falck of the Firm Knie, Falck & Co. are presently in Petersburg where they are conferring with the Volunteer Fleet on an eventual resumption of the sailings to America. The two firms are to take the agency

Petitioner's Exhibit 1185

11533

against guarantee of a certain number of passengers p. sailing. We have instituted enquiries and if the rumour should be confirmed we shall revert to the matter."

Perhaps I shall also hear from other quarters to which I have applied on the subject.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 1 Mar. 1909. Ansd.

11534

Petitioner's Exhibit 1185.

G. No. 368.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, February 27th, 1909.

To the Parties:

11535

Communications to the Press. (G. No. 364.)

The White Star Line write:

"We have received a communication from our New York Office reading as follows:

"*New York "Staats Zeitung."* We attach translation of an article which appeared in this paper on the 9th inst. It always seems to be well posted on Conference proceedings on your side.'"

11536

Petitioner's Exhibit 1185

The Translation reads:

"NEW YORK STAAT'S ZEITUNG FEB. 9, 1909.

Rate War Ended.

"Mediterranean-American traffic on equal basis
as from other ports of Europe.

11537

"Paris, February 8th. After meetings lasting several months, the representatives of the French, German, Italian, English and Spanish Transatlantic S. S. Companies have arrived at an agreement covering all points which were effected by the rate war in the traffic between the Mediterranean ports and America. The conditions have not yet been made public, but the basis for the agreement covering the steerage and second cabin traffic, one of the chief points in dispute, is the same as was used for the carryings between other European ports and North America. In the course of the last three years the reduction of the rates by the Italian and the other Lines had brought only loss to all parties."

11538

("As advised in yesterday's Berlin's special cable, General Director Ballin of the Hamburg American Line and Director Heineken of the North German Lloyd will come to New York in order to give the necessary instructions for the practical handling of the new measures. Both gentlemen are coming on the Amerika of the Hamburg American Line.")

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 1 Mar. 1909 Ansd.

Petitioner's Exhibit 1186.

11539

G. No. 369.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, February 27th, 1909.

To the Parties:

North West Transport Line (G. No. 362.)

11540

"Hapag send me for promulgation the following letter which they have received regarding this concern:

"London, 24th February, 1909.

"Gentlemen:

"The present is to advise you that Mr. Peterson is putting the S. S. St. Domingo ex 'Raglan Castle' on for his next boat, arriving Hamburg on Friday or Saturday next and sailing from Rotterdam on Wednesday the 3rd March. This boat carries about 700 steerage passengers—he has now 500 awaiting her at Rotterdam and another 150 leave Liverpool on Saturday for Rotterdam, making a total of 650 passengers for Wednesday, 3rd March, sailing booked up to present date.

11541

"I am still keeping in close touch with all the agents and anxious to take some steps in your interest."

The Shipping Gazette 25th has the following correspondence from Glasgow 24th:

11542

Petitioner's Exhibit 1186

"The steamer St. Domingo which was one of the unemployed in the Gareloch for fully eighteen months, was recently shifted to Glasgow, and after receiving an overhaul she left yesterday for London. Her name has been changed to its original, Raglan Castle, and the vessel will be employed in the Union-Castle service between the Thames and South African ports."

Respectfully,

11543 (Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 1 Mar. 1909 Ansd.

11544

Petitioner's Exhibit 1187.

11546

G. No. 370.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 1st, 1909.

To the Parties:

Russian Volunteer Fleet. (G. No. 367.)

11546

The Russian Eastasiatic Co. write in reply to my inquiry:

" * * * We beg to inform you that to the best of our knowledge there is nothing in the rumour.

"It is true the resumption of the American service is on the programme of the Volunteer Fleet but when this will be done is quite indefinite and nothing points to the intention of taking up the sailings again in the course of this year.

"Our Board will keep us posted as far as possible on the intentions of the Volunteer Fleet and when something positive should occur we will let you know immediately."

11547

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 3 Mar. 1909 Ansd

Petitioner's Exhibit 1188.

11548

*G. No. 371.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 1st, 1909.

To the Parties:

North West Transport Line. (G. No. 369)

11549

The Hamburg American Line send me for promul-
 gation the following itinerary of the North West
 Transport Line:

The North West Transport Line.

Direct Regular
 Fortnightly Service

Freight
 and Passengers

The following steamers will be despatched direct to Hamburg, Rotterdam, Halifax, New York:

11550	Steamers	Hamburg		Rotterdam		Halifax		New York	
		Arrive	Sail	Arrive	Sail	Arrive	Sail	Arrive	Sail
	Volturmo	—	—	6 Feb.	6 Feb.	17 Feb.	18 Feb.	20 Feb.	27 Feb.
	Raglan Castle	27 Feb.	1 Mar.	3 Mar.	3 Mar.	14 Mar.	15 Mar.	17 Mar.	27 Mar.
	Volturmo	11 Mar.	16 Mar.	18 Mar.	20 Mar.	1 Apr.	2 Apr.	4 Apr.	10 Apr.
	Uranium	27 Mar.	31 Mar.	2 Apr.	3 Apr.	13 Apr.	14 Apr.	16 Apr.	24 Apr.
	(ex Avoca)								
	Raglan Castle	8 Apr.	14 Apr.	16 Apr.	17 Apr.	29 Apr.	30 Apr.	2 May	8 May

Petitioner's Exhibit 1188

11551

These sailing dates will be strictly adhered to, and in the event of accident to any of the steamers other steamers now being fitted will be substituted. It is also contemplated to increase the sailings to a Weekly Service from Middle of April, when new steamers under construction, and now being fitted, are completed.

For freight and passage, apply to

Head Office: Petersen & Co., Ltd., 6 Lloyd's Avenue,
London, E. C.

Agents—Hamburg: Menzell & Co., 112 Alsterdam.

Rotterdam: M. Landy, "Atlantic Express,"
30 Glashaven.

11552

New York Office: 121 Produce Exchange.

The Nieuwe Rotterdamsche Courant of 27 February contains the following advertisement:

The North West Transport Line

Rotterdam New York

S. S. Raglan Castle will load on Monday 1st of March
Goods at cheap rates will be taken by Atlantic Express
Glashaven 30.

Respectfully,

11553

(Stamped): Ismay, Imrie & Co. Passenger Dept.

Recd. 3- Mar. 1909 Ansd.

t
ngers

:

rk

Sail

Feb.

Mar.

Apr.

Apr.

May

11554

Petitioner's Exhibit 1189.*G. No. 372.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, March 1st, 1909.

To the Parties :

11555

North West Transport Line. (G. 365.)

For this Line have arrived according to the Red Star Line from the agent G. Zürcher, Chiasso for Atlantic Express on February 25th 18 passengers, on February 26th 20 passengers; from the Universal Reisebureau Vienna (Onciul) for Atlantic Express

On February 25th 52 passengers

On February 26th 34 passengers

On February 27th 6½ passengers.

the passengers on 25th and 26th February were expedited by Ludwig Hess, Basle.

11556

The Red Star Line propose also to disqualify Ludwig Hess. I admit to hear whether the Lines concur, also as regards the disqualification of G. Zürcher, Chiasso and the Universal Reisebureau (Onciul) Vienna.

Respectfully,

Petitioner's Exhibit 1190.

11557

*G. No. 373.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 2nd, 1909.

To the Parties:

North West Transport Line. (G. No. 371.)

The Hamburg American Line write (translation):

"We have the following news on the measures taken by the new Company of Mr. Wm. Petersen. The Company has chartered the S. S. 'St. Domingo,' said steamer being originally owned by the Union Castle Line under the name of 'Raglan Castle' passed into the hands of the Danish Eastasiatic Co. who about a year ago returned her to the builders, a Glasgow shipyard. From them Petersen engaged the steamer on time charter. The steamer which has been renamed 'Raglan Castle' had been ordered to Hamburg for the purpose of loading here a quantity of cargo which Petersen's brokers Menzell & Co. had engaged. Upon arrival at Cuxhaven on 28th February however she had been ordered to Rotterdam instead of Hamburg. As the parties are aware a number of steeragers are waiting here for her and like her predecessor the 'Voluturno' she will probably sail for New York with steeragers but without cargo. To carry the Hamburg cargo, Menzell & Co. have chartered the British steamer 'Aldgate' for a trip to New York; this steamer has arrived here in order to load on the 1st of March."

11558

11559

11560

Petitioner's Exhibit 1191

According to a cable the Hamburg American Line have from New York, the Volturno has left thence on 28th February with 3 second class and 13 steerage passengers.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
Recd. 4 Mar. 1909. Ansd.

Petitioner's Exhibit 1191.

11561 *G. No. 374.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, March 5th, 1909.

To the Parties:

Communications to the Press. (G. No. 368.)

The Canadian Pacific Ry. write:

11562

"Referring to your Circulars G. No. 364 and 368. Like Lloyds' and the White Star Line we have not given any information to the press, directly or indirectly. We have always considered this to be a general understanding among the Lines."

The Holland America Line makes the same declaration as Lloyd with regard to G. No. 361.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
Recd. 8 Mar., 1909, Ansd.

Petitioner's Exhibit 1192.

11563

*G. No. 375.***ATLANTIC CONFERENCE.**

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, March 5th, 1909.

To the Parties :

North West Transport Line.

11564

As advised the Raglan Castle of the North West Transport Line left Rotterdam on the 2nd instant with 540 steeragers, of which 140 for Halifax. According to an information from the Holland America Line. she did not get any cargo in Rotterdam, she only replenished her stock of bunker coals and took in provisions.

Respectfully,

(Stamped) : Ismay, Imrie & Co., Passenger Dept.
Recd. 8 Mar. 1909. Ansd.

11565

11566

Petitioner's Exhibit 1193.*G. No. 376.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, March 5th, 1909.

To the Parties :

Disqualifications.

The Norddeutscher Lloyd write :

11567

"With reference to circular letter G. No. 365 we fully share the views of the Red Star Line, that it would be a very serious mistake on part of the A. C. Lines if they would agree to accept passengers from the agents of the North West Transport Line at the rates quoted by the letter. In fact the proposition appeared to us so absurd and so entirely out of question that we have never considered it for a single moment. As regards disqualification of agents working for the North West Transport Line, we are of the opinion that any agent, handing over business to that Line, must be considered *eo ipso* disqualified according to A. C. Minute 20."

11568

In conformity with Minute 20 the following agencies working for the North West Transport Line must be considered disqualified :

- 1) G. Zürcher, Chiasso.
- 2) Ludwig Hess, Basle.
- 3) Universal Reisebureau (Onciul) Vienna.

I request the parties to issue their circulars by which said agencies are disqualified at once.

Respectfully,

(Stamped) : Ismay, Imrie & Co. Passenger Dept.,
 Recd. 8 Mar., 1909. Ansd.

Petitioner's Exhibit 1194.

11569

G. No. 377.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, March 8th, 1909.

To the Parties:

Arbitration White Star Line's Canadian Service.

The Allan Line have sent me copy of their correspondence with the White Star Line on the arbitration proceedings, and also the Preliminary Statement of their claim, both of which I am sending along with this by bookpost registered. They write:

11570

"We sent this statement to the White Star Line on 10th February, but they have not yet sent us their statement in reply, nor have they sent us any communication in regard to our proposal of another arbitrator to take the place of the single arbitrator formerly agreed upon, who is no longer available."

With reference to the arbitration I beg to refer to the last piece of the correspondence which I received today.

11571

The White Star Line wrote me on March 2nd that they would send me the correspondence with the Allan Line in a few days.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 12 Mar., 1909. Ansd.

11572

Petitioner's Exhibit 1195.

G. No. 378.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 8th, 1909.

To the Parties:

*Outstanding Russian Prepaids of Russ Volunteer
 Fleet.*

11573 The Russian American Line in accordance with
 Minute 78 send me their statement for prepaid pas-
 sengers of the Russian Volunteer Fleet carried by
 them from Libau; in stating the amounts to be resti-
 tuted to them, they also claim the difference in the
 carrying rate of

52/1, 33/2, 2/0 p. S.S. Korea 7th September and
 50/1, 33/2, 6/0 p. S.S. Estonia 22nd September

102 66 8 of which one half *i. e.*

51/1, 33/2 at 15 Rubel p. adult = Rubel 997.50.

11574 As these prepaids were carried before the arrange-
 ment under Minute 78 was come to, the Russian
 American Line according to the wording of the Min-
 ute are not entitled to a compensation for them. They
 contend however that as the Agreement B. B. was
 concluded in principle already in August (vide Min-
 ute 73) and the question of outstanding prepaids hav-
 ing been referred to already on that occasion, it was
 only by some unfortunate circumstances beyond their
 control that the definite settlement of the prepaid
 question was deferred until Octbr. 22nd and that Min-
 ute 78 should therefore be retrospective. I beg to ask
 the parties whether they agree to it.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 12 Mar. 1909. Ansd.

Defendants' Exhibit 95.

11575

*G. No. 379.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 8th, 1909.

To the Parties:

Monthly Statements for February.

11576

According to Form 30, No. 2 I beg to inform the
 Parties that the following payments are to be made:

Continental Lines to Allan Line	£ 2157.—.—
" " " Anchor Line	" 1207.—.—
" " " American Line	" 4325.—.—
" " " Dominion Line	" 4042.—.—
" " " White Star Line	" 6165.—.—
" " " Cunard Line	" 7787.—.—
" " " Canadian Pacific Ry. Co.	" 56.—.—
" " " Donaldson Line	" 248.—.—

I shall remit the amounts as soon as received.

11577

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 10/3 1909 Ackn'd 1909. Answered 1909.
 1909.

11576

Petitioner's Exhibit 1196.*G. No. 380.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

March 8th, 1909.

To the Parties:

North West Transport Line.

11579

The Red Star Line report that there arrived at
 Antwerp for the Atlantic Express

March 1st	22	Passengers
" 2nd	18	"
" 4th	32	"
" 5th	54	5/2 "

booked by the Universal-Reise-Bureau, Vienna and
 forwarded at Basle by Ludwig Fless.

Lloyd informed me today that the police in Cottbus
 and Johannisburg had arrested three Russian agents
 who conducted Passengers for the North West Trans-
 port Line to Rotterdam and that about forty passen-
 gers were sent back to Russia.

11580

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
 Recd. 11 Mar., 1909. Ansd.

Petitioner's Exhibit 1197.

11581

*G. No. 381.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 9th, 1909

To the Parties:

Payments to the Russian East Asiatic S. S. Co.

11582

According to Form 35, No. 2 I beg the Parties to
 make the following payments for the month of Feb-
 ruary:

N. D. L. V. Lines	£ 1117.—.—
Allan Line	" 45.—.—
Anchor Line	" 72.—.—
American Line	" 148.—.—
Dominion Line	" 66.—.—
White Star Line	" 223.—.—
Cunard Line	" 283.—.—
Canadian Pacific Ry. Co.	" 34.—.—
	<hr/>
	£ 1988.—.—
	<hr/>

11583

The Parties will please remit me the amounts in
 due time.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.,
 Recd. 11 Mar., 1909. Ansd.

11584

Petitioner's Exhibit 1198.*G. No. 382.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 11th, 1909.

To the Parties:

11585

Enclosed I beg to hand a copy of the account of the expenses of the Secretary's Office for 1908, after it has been verified by the Holland American Line. The expenses up to Decbr. 31st amount to M 63033.22 inclusive interest charged at the rate of the Deutsche Reichsbank for loans against securities.

By Article 23, section e, the expenses are to be paid by the Lines in proportion to the mean of the percentages allotted to each according to article 3, and which are:

A.

		Westbound	Eastbound	Mean
	Allan Line	0.62%	4.95%	2.785%
	Anchor Line	3.40%	3.93%	3.665%
	Cunard Line	13.75%	15.12%	14.435%
11586	Hamburg Amerika Linie	19.61%	12.35%	15.98 %
	Holland Amerika Linie	6.63%	6.10%	6.365%
	Norddeutscher Lloyd	26.53%	18.79%	22.66 %
	Red Star Line	9.71%	8.56%	9.135%
	White Star Line	8.60%	15.49%	12.045%
	American Line	6.68%	8.72%	7.70 %
	Dominion Line	4.47%	1.50%	2.985%
	Canadian Pacific		4.49%	2.245%
		100.	100.	100.

Article 21 of Agreement B. B. provides that the Russian East Asiatic S. S. Co. have also to contribute to the office expenses of the secretary. They then participate in these expenses from the beginning of the Agreement B. B. viz: from September 1st to December 31st. The percentage in which each Line contributes in the expenses during this period is:

B.

	westbound eastbound mean			
Allan Line	0.60%	4.80%	2.70	11588
Anchor Line	3.31%	3.81%	3.56	
Cunard Line	13.41%	14.67%	14.04	
Hamburg Amerika Linie	19.12%	11.98%	15.55	
Holland Amerika Linie	6.46%	5.92%	6.19	
Norddeutscher Lloyd	25.87%	18.23%	22.05	
Red Star Line	9.47%	8.30%	8.885%	
White Star Line	8.39%	15.02%	11.705%	
American Line	6.51%	8.46%	7.485%	
Dominion Line	4.36%	1.45%	2.905%	
Canadian Pacific Ry. Co.		4.36%	2.18	11589
Russ. East Asiatic Co.	2.50%	3.	2.75	
	<u>100.</u>	<u>100.</u>	<u>100.</u>	

3863

Petitioner's Exhibit 1198

11590

	Repartition of M 43881.14 expenses in- curred up to Aug. 31st as per A (excl. Russ. Line) M	M 19152.08 expenses in- curred Sept. 1st-Dec. 31st per B. (Incl. Russian Line) M	Total A & B M	Interest 1909 1/1-15/2 5% 16/2-15/3 4 1/2% M	Total Amount due by the individual Lines M
Allan Line	1222.09	517.11	1739.20	17.39	1756.59
Anchor Line	1608.24	681.82	2290.06	22.90	2312.96
Cunard Line	6334.24	2688.95	9023.19	90.23	9113.42
Hamburg-Am. Line	7012.21	2978.15	9990.36	99.90	10090.26
Holland-Am. Line	2793.04	1185.51	3978.55	39.79	4018.34
Nordd. Lloyd	9943.47	4223.03	14166.50	141.66	14308.16
11591 Red Star Line	4008.54	1701.66	5710.20	57.10	5767.30
White Star Line	5285.48	2241.75	7527.23	75.28	7602.51
American Line	3378.85	1433.53	4812.38	48.13	4860.51
Dominion Line	1309.85	556.37	1866.22	18.66	1884.88
Canadian Pacific	985.13	417.52	1402.65	14.03	1416.68
Russ. East Asiatic		526.68	526.68	5.27	531.95
	43881.14	19152.08	63033.22	630.34	63663.56

I shall be obliged for remittance of the amount due
by the individual Lines.

Respectfully,

11592

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
Recd. 13 Mar., 1909. Ansd.

Defendants' Exhibit 96.

11593

G. No. 383.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, March 12th, 1909.

To the Parties :

Arbitration White Star Line's Canadian Service.
(*G. No. 377.*)

11594

Referring to *G. No. 377* the White Star Line send
me copy of their following letter to the Allan Line.

Respectfully,

Liverpool, March 9th, 1909.

Messrs. J. & A. Allan,
25 Bothwell Street,
Glasgow.

Dear Sirs :

11595

Your favors of 2nd and 5th inst. are duly to hand
and we note that we are now in accord to appoint Sir
Robert Finlay K. C. as sole arbitrator.

We have now had an opportunity of further con-
sidering the points discussed in our letter of the 26th
ultimo and your reply of the 2nd instant, and we see
no reason for departing from the position we have
taken up.

We have however no wish to be Judges in our own
cause and we are quite content to leave Sir Robert
Finlay to decide between us the questions raised in
our letter of the 26th ultimo. In saying this we must

11596

Defendants' Exhibit 96

make it clear that such reference to Sir Robert Finlay will, in our opinion be in no sense a reference to arbitration under the Agreements upon which you are making your claims, as the question of whether we are parties to the Agreement A. A. is a preliminary point to be disposed of before your claims can be investigated.

As you have sent copies of our past correspondence to Secretary Peters we are not doing so but will send him for circulation a copy of this and our future letters on this matter and if you will do the same the Conference Lines will be kept posted.

11597

Yours faithfully,

P. S. Following is a further letter addressd by the Allan Line to the White Star Line:

Glasgow, 10th March, 1909.

Messrs. Ismay, Imrie & Co.,
30 James Street,
Liverpool.

Dear Sirs:

11598

We have your letter of 9th inst., and note contents.

We presume that you are now preparing your preliminary statement in reply to ours, and we shall be obliged if you will let us have a copy with as little delay as possible.

Yours truly,
(Signed.) JAS. & ALEX. ALLAN.

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
Recd. 15 Mar. 1909. Ansd.

Petitioner's Exhibit 1199.

11599

G. No. 384.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 13th, 1909.

To the Parties:

Enclosed I beg to hand the Agenda of the meeting
 in Paris, Hotel Meurice, on the 25th instant.

Respectfully,

H. PETERS.

11600

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
 Recd. 16 Mar., 1909. Ansd.

Petitioner's Exhibit 1200.

ATLANTIC CONFERENCE.

Agenda of the Meeting in Paris, Hotel Meurice on
 25th March, 1909, at 10 A. M.

1) North West Transport Line, (G. No. 380, 375, 373, 372, 371, 365, 359, 358, 357, 356, 355, 351, 345, 344, 338, 332, 327.) 11601

2) Disqualification of the Tourist office "Vaterland" (G. No. 305.) Reisebureaux, Jewish Hilfsvereine. (G. No. 376.)

3) Agreement with Scandinavian American Line.

4) Limiting age of children rated at half fare to 1-8 years. (G. No. 324.)

5) Rate and headtax for infants.

Petitioner's Exhibit 1200

11602

6) Commission paid to Continental agents on Immigrant inland fares. (B. L.)

7) Revision of I and II class Minimal rates. Intermediate seasons.

8) Reduction of commission to 2% on first class business done by New York agents (Minute 101).

9) Returned emigrants. (G. No. 346, 342, 337, 336, 333, 328.)

11603

10) Minute 91. Pooling of cabin passengers. (G. No. 350, 340, 315, 311.) Canadian employees of C. P. R.

11) Control stations (B. L.)

12) Alteration of Minute 103 *re* places of meetings.

13) Charity children to Canada from Dr. Barnardo's Homes. Application for the exclusion of this special traffic from the Pool. (Dominion Line.)

14) French Line's headtax on Italians and Orientals (B. L.).

15) Right of Transat to carry passengers to St. Pierre without pooling them.

11604

16) Alleged use of superlatives in Lines' advertisements and printed matters. (B. L.)

17) Notice of Allan Line given for Agreement A. (G. No. 363, 360, 353, 348.)

18) Signing of Russian Agreement B. B.

Jena. 13th March, 1909.

(Stamped): Ismay, Imrie & Co., Passenger Dept.,
Recd. 16 Mar., 1909. Ansd.

Petitioner's Exhibit 1202.

11605

G. No. 385.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 13th, 1909.

To the Parties:

North West Transport Line.

11606

The Red Star Line report that

on March 9th	41	3/2
" " 10th	31	4/2
" " 11th	40	—

passed Antwerp for the Atlantic Express Co. all of which were booked by the Universal Reisebureau Vienna.

Together with previous reports since the last sailing 187, 12/2.

As apparently it is still uncertain when the next steamer will sail, it is evident, that heavy expenses will be incurred for board and lodging.

11607

Respectfully,

11608

Petitioner's Exhibit 1325.*G. No. 386.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, March 15th, 1909.

To the Parties:

11609

Arbitration White Star Line's Canadian Service.
(G. No. 383.)

Referring to circular letter G. No. 377 and 383, I beg to make known to the Parties the following further correspondence which has passed on between the White Star Line & Allan Line.

Will the Parties please give the letters in G. No. 383 the numbers 23 and 24.

Respectfully,

H. PETERS.

• 11610

25.

Liverpool, March 11th, 1909.

Messrs. James & Alex. Allan,
 25 Bothwell Street,
 Glasgow.

Dear Sirs:

In reply to your letter of the tenth instant we are not preparing any preliminary statement in reply to yours until we know whether there is to be an arbi-

tration between us under the terms of Agreement A. A.

The reference to Sir Robert Finlay to which we agreed in our letter of the 9th instant is a reference quite outside of the provisions of the Agreement A. A., and until the preliminary point we have raised has been disposed of we do not think any useful purpose would be served by our preparing an answer to your Statement of your claims under that Agreement. We say this as if our view as to the position is correct then it is clear that you will have to redraft your preliminary statement in the event of your claiming arbitration as against the I. M. M. Co.

11612

Yours faithfully,

26.

Glasgow, 12th March, 1909.

Messrs. Ismay, Imrie & Co.,
30 James Street,
Liverpool.

Dear Sirs:

11613

We have your letter of yesterday, and we must say that we regard your position as quite unjustifiable.

In your letter of 24th December last, you proposed Sir Robert Finlay as sole arbitrator—not merely on any special point, but on the whole questions between the Allan Line, and the White Star and Dominion Lines which it was agreed at the Conference Meeting at Cologne should be referred to arbitration. You also suggested that we should prepare a written statement of our case to which you would reply. We have agreed to the arbitrator proposed, and to the pro-

Petitioner's Exhibit 1325

11614

cedure generally, reserving our right to answer your reply in detail. We have sent you the preliminary statement of our case, and it lies now with you to send us your answer. The point you raise that, as you say, the White Star and Dominion Lines are not parties to, nor bound by Agreement "A. A." may be part of your answer, but it is only a part, and you may be found to be wrong in your contention. At all events, it is unheard of that a defence should state only a preliminary point, and not deal with the merits as well. It is not for us to raise *your* point, and we adhere to the statement of claim we have sent you, as the substance of our claim is not affected by your contention, and we can easily deal with the points raised in our reply to your answer. In any case, the arbitrator could not decide the question you raise without going into the facts detailed in our statement.

11615

We must therefore, ask you, without further delay, to prepare and send us your answer.

Yours truly,
(Sgd.) JAS. & ALEX. ALLAN.

(Stamped): North Atlantic Passenger Conference
Received 17/3 1909. Acknl'd 1909 Answered 1909.

11616

Petitioner's Exhibit 1203.

11617

G. No. 387.

ATLANTIC CONFERENCE.

Secretary's Office,
 Telegraph Address:
 "Secretair," Jena.

Jena, March 15th, 1909.

To the Parties:

North West Transport Line (G. No. 385.)

The Raglan Castle's March 2nd from Rotterdam
 passengers were composed as follows:

	For Halifax	For New York	Total	11618
From Russia	53	286	339	
" England	63	6	69	
" Italy	25	36	61	
" Hungary	—	37	37	
" Austria	3	27	30	
" Roumania	—	3	3	
" Belgium	—	1	1	
	<hr/> 144	<hr/> 396	<hr/> 540	

Of the 69 passengers from England the 6 for New York are Jews and came from London; the rest are by their names of the same nationality as those p. Volturno and their last residence is stated Liverpool. 11619

The Volturmo which sailed from New York on February 27th landed her 13 steeragers on 12th instant at Hoek van Holland, whence they proceeded by tug to Rotterdam & further by rail. "Volturmo" proceeded 12th for Hamburg.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 17 Mar. 1909. Ansd.

11620

Petitioner's Exhibit 1204.

G. No. 388.

ATLANTIC CONFERENCE.

Secretary's Office,
Telegraph Address:
"Secretair," Jena.

Jena, March 16th, 1909.

To the Parties:

*North West Transport Line & Russian Volunteer
Fleet (G. No. 367).*

11621

The reports that the Russian Volunteer Fleet are contemplating to resume their service and further that the North West Transport Line are treating with them on the carryings of the Prepaids of the Russian Volunteer fleet is corroborated by the following notice in the Shipping Gazette of 13th instant:

"North West Transport Line."

11622

"The Kölnische Zeitung learns that this line, 'an English undertaking in which, also, a Hamburg firm of shipowners is interested,' intends shortly to run a weekly service from Hamburg and Rotterdam to Canadian ports. The undertaking is completely independent of the North Atlantic Conference. It is noteworthy, it is remarked, that heretofore the vessels of the Line have only taken cargo at Hamburg, but the managers now contemplate the carriage of emigrants. By its agreement with the Russian Volunteer Fleet, which is also outside the pool, the North-West Transport Line will be able to carry Russian emigrants by way of Rotterdam to Canada."

At the request of Director General Mr. Ballin I note the matter for the Agenda of the meeting.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 19 Mar. 1909. Ansd.

Petitioner's Exhibit 1326.

11623

G. No. 389.

ATLANTIC CONFERENCE.

Secretary's Office,
Telegraph Address:
"Secretair," Jena.

Jena, March 16th, 1909.

To the Parties:

Mediterranean Westbound Business & Continental 11624
Lines.

I received a letter from Mr. Cosulich, that in the course of a recent conversation with Mr. Crespi this gentleman had complained that Northern Lines quoted special rates for Italians through agents in Switzerland, whilst Italian Lines did not make special rates for Continental business.

If Mr. Crespi's allegations should be founded I would have to draw the attention of the A. C. Lines to Minute 18. "No special rates may be made either in Europe or in America without previous assent of all Lines," and of the Canadian Lines to clause 5b, c. & 6a of Agreement Z.

11625

I have written to Mr. Crespi with reference to his grievance, that I had no knowledge of special rates for Italians on the part of Conference Lines, but that I would submit the matter to the Lines.

I have further told him, that his complaints most likely referred to the North West Transport Line, which on their last sailing had taken 61 Italians, that the Conference Lines were fighting this line with all means that might answer the purpose, that the New York agents of this Line were C. B. Richard & Co.

11626

Petitioner's Exhibit 1205

who are also Agents of the Lloyd Italiano and that it was a curious state that they should allow C. B. Richard & Co. to give their assistance to a line which was injuring the interests of the Italian Lines and probably would do so still more in future if the efforts to advance the Italian rates were successful. I have submitted to Mr. Crespi to put Mr. Richard before the alternative of either giving up the agency of the Lloyd Italiano or of the North West Transport Line and told him, that if C. B. Richard & Co. should prefer the latter agency he would likely be disqualified by all the other S. S. Lines in the North Atlantic trade.

11627

Respectfully,

(Stamped): North Atlantic. Received 18/3, 1909.
Acknl'd 1909. Answered 1909. Passenger
Conference.

Petitioner's Exhibit 1205.

G. No. 390.

ATLANTIC CONFERENCE.

11628

Secretary's Office,
Telegraph Address:
"Secretair," Jena.

Jena, March 17th, 1909.

To the Parties:

North West Transport Line (G. No. 385).

In pursuance of previous returns the Red Star Line report the following passengers having passed Antwerp for the N. West Transport Line:

Petitioner's Exhibit 1205

11629

March 12th	21	from G. Zürcher, Chiasso
" 13th	35	" Universal-Reisebureau, Vienna
" 14th	35	" " " "
" 15th	30	" " " "

 121

brought

forward 187. 12/2

 308 12/2

The Hamburg American Line send me the following advertisement in a Hamburg paper: 11630

(Translation):

The North West Transport Line
 Regular freight & passenger service between
 Hamburg and Newyork
 calling at Rotterdam & Halifax

Next sailings from Hamburg
 S. S. "Volturno" March 18th.
 S. S. "Uranium" March 31st
 S. S. "Raglan Castle" April 15th.

Subject to change—without responsibility.

For particulars about freight, etc., apply to the
 Agents:

11631

MENZEL & CO.,
 Hamburg Alsterdamm 16/17.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 19 Mar., 1909. Ansd.

11632

Defendants' Exhibit 97.*G. No. 391.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 18th, 1909.

To the Parties:

11633

Arbitration Allan Line—White Star Line. (G. 386)

The White Star Line send me copy of their following letter to the Allan Line:

27.

March 15th, 1909.

Messrs. J. & A. Allan
 25, Bothwell Street
 Glasgow.

Dear Sirs,

11634

We are in receipt of your letter of the 12th instant. We regret that you should regard the position we have taken up as unjustifiable but we must adhere to it.

We are and always have been content to Sir Robert Finlay acting as sole arbitrator on any claims you may bring forward under the agreement A. A., but so far you have not in our opinion made any claims under that Agreement.

We appreciate that you do not agree with us on this point and we are therefore content to leave Sir Robert Finlay to decide between us the questions raised in

Defendants' Exhibit 97

11635

our letter of the 26th ultimo., but these are, in our opinion preliminary questions which must be disposed of before we can deal with your statement of claim.

We would suggest that you should obtain an appointment before Sir Robert Finlay and ask for his directions as to the procedure to be adopted. As the preliminary questions are purely legal ones we should propose to be represented at the appointment by counsel.

Yours faithfully,

Respectfully,

11636

The following copy of a further letter from the Allan Line to the White Star Line has just come to hand:

28.

Glasgow, 16th March, 1909.

Messrs. Ismay, Imrie & Co.,
30 James Street,
Liverpool.

Dear Sirs:

11637

We have your letter of the 15th instant. We fail to see what benefit is to be gained by referring the questions to the arbitrator in instalments. It appears to us that all the questions could be dealt with quite as conveniently and with considerable saving of time and trouble, in one reference. However, in view of the position you have taken, unreasonable as we think it, we are sending through our solicitors, Messrs. Wright, Johnston & Mackenzie of this City, the whole correspondence between us, including our preliminary

Defendants' Exhibit 97

11638

statement of claim and copies of the Conference agreements to Sir Robert Finlay with a view to obtaining an appointment, as you suggest, to settle procedure.

We are arranging to be represented by Counsel as we note you will do so.

Yours truly,

(Sgd.) JAS. & ALEX. ALLAN.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 19 Mar. 1909. Ansd.

11639

11640

Petitioner's Exhibit 1327.

11641

G. No. 392.

ATLANTIC CONFERENCE.

Secretary's Office,
Telegraph Address:
"Secretair," Jena.

Jena, March 19th, 1909.

To the Parties:

Grand Trunk Railway Co.

11642

I received the following letter from White Star
Line:

"We attach communication from the Grand
Trunk Railway Co., together with copy of
letter referred to therein, which we think it
will be well to bring up for consideration at the
next A. C. Meeting."

The correspondence referred to is as follows:

1) Montreal, March 1st, 1909.

Mr. Wm. Cuthbertson,
Liverpool.

11643

Dear Sir:

Re Passengers per S. S. "Voturno" Rotterdam-
Halifax.

Your L. P. 1452 of 15th ult.

From the steamer "Voturno" there landed 102
souls at Halifax, the distribution being as follows:

Chicago, Ill.	10
Western U. S.	28
New England Points	40

11644

Petitioner's Exhibit 1327

Montreal	9
Canadian Northwest	4
Toronto	2
Sherbrooke Que.	1
Ontario Points	8

 102 Souls

11645

The Grand Trunk secured one ticket to Belleville, but the balance were routed over the Canadian Pacific under instructions from the New York Office of the North West Transport Co., Messrs. Piciford and Black, assuming that this was done through arrangements with the Canadian Pacific for payment of commission.

In view of the fact that we did not get any of this business last season, I am at a loss to understand why Mr. Peterson should have issued instructions for such routing, unless he had been promised commission either directly or indirectly, and I am afraid this is one case at least where the Canadian Pacific are hoodwinking us.

11646

You will also recollect that the line of steamers which the conference lines put on jointly to destroy the traffic of the Peterson line, also turned over all of its business to the Canadian Pacific; in fact their agent at Halifax was a Canadian Pacific Travelling Passenger Agent at that point, so that we are apparently being sacrificed by our friends and the enemy alike.

Under the circumstances I cannot see any reason why we should further refrain from making an arrangement, providing the financial end of it is safe, towards having this business sent over our route, or having an agreement made with the competing conference lines that we should receive in addition to a share of their traffic, sufficient business to make up for the loss sustained from the Northwest Transport Co.

If the Canadian Pacific is honest in its protestations that no commission will be paid to the Northwest Transport Co., they should be quite willing to have our line receive a fair share of that traffic, even to the extent of paying for it, if they have no other means of controlling it for us.

I shall be glad if you will take what action you see fit towards securing proper recognition on this traffic.

Yours truly,

W. P. HINTON,
A. G. P. and T. A.

11648

2)

Liverpool, 13th March, 1909.

Dear Mr. Cauty:

*New York and Continental Line Now Merged into
The North West Transport Company.*

You had this subject up with me last year: the Grand Trunk loyally supported the Continental Lines but only to have found themselves in a rather weak position.

We are still pursuing the same policy, and hope the result will be such as has marked our relationship with your line.

Yours very truly,

11649

FRED C. SALTER,
European Traffic Manager.

I shall add the matter to the agenda.

Respectfully,

H. PETERS.
p. Rep.

(Stamped): Received 22 Mar 1909 Ansd.

11650

Petitioner's Exhibit 1206.

G. No. 393.

ATLANTIC CONFERENCE.

Secretary's Office,
Telegraph Address:
"Secretair," Jena.

Jena, March 19th, 1909.

To the Parties:

Meeting March 25th.

11651

White Star Line write:

" * * * We are also obliged for the Agenda for the Meeting which has since come to hand, from which it appears that there is no reason why the Meeting should not be concluded on the 25th instant and we have accordingly made our arrangements to leave Paris by the morning train on the 26th *idem*."

Respectfully,

11652

Petitioner's Exhibit 1207.

11653

G. No. 394.

ATLANTIC CONFERENCE.

Secretary's Office,
 Telegraph Address:
 "Secretair," Jena.

Jena, March 20th, 1909.

To the Parties:

North West Transport Line.

11654

The following transports of passengers from the
 Universal Reisebureau, Vienna, have arrived by way
 of Antwerp for the Atlantic Express:

	16th	March	47	passengers
	17th	"	55	"
	18th	"	40	"
from G. Zürcher, Chiasso	17th	"	35	"

The total number booked so far for the next departure of the North West Transport Line according to the reports communicated is:

597 adults, 19 children.

Respectfully,

11655

11656

Petitioner's Exhibit 1208.*G. No. 395.*

ATLANTIC CONFERENCE.

Secretary's Office,
 Telegraph Address:
 "Secretair," Jena.

Jena, March 20th, 1909.

To the Parties:

Enclosed please find the additional agenda for the
 Paris meeting.

Respectfully,

H. PETERS, p. Rep.

11657

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 22 Mar. 1909. Ansd.

Petitioner's Exhibit 1209.

ATLANTIC CONFERENCE.

Supplement
 to the Agenda of the Meeting in Paris 25th March
 1909.

11658

19) Russian Volunteer Fleet (*G. No. 388, 370,*
367).

20) Complaint of Canada's Grand Trunk Rail-
 way System (*G. No. 392*).

Jena, March 20th, 1909.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 22 Mar. 1909. Ansd.

Petitioner's Exhibit 1201.

11659

ATLANTIC CONFERENCE.

Supplement
to the Agenda of the Meeting in Paris 25th March
1909.

19) Russian Volunteer Fleet (G. No. 388, 370,
367).

20) Complaint of Canada's Grand Trunk Rail-
way System (G. No. 392).

Jena, March 20th, 1909.

11660

Allan Line notice re Italian business.

Cunard Line & Italian Agreement.

Proposed general advance in Second Class West-
bound rates.

11661

11662

Defendants' Exhibit 98.*G. No. 396.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 22nd, 1909.

To the Parties:

Arbitration Allan Line—White Star Line,
(G. No. 391)

11663 The Allan Line send me copy of their following
 letter they have sent to the White Star Line, together
 with copy of the correspondence therein referred to.
 Respectfully,

29.

Glasgow 19th March 1909.

Messrs. Ismay, Imrie & Co.
 30 James Street,
 Liverpool.

Dear Sirs.

11664 We enclose copy of the correspondence which has
 passed since our letter to you of 16th inst., between
 our solicitors and Sir Robert E. Finlay's clerk, which
 will inform you as to the position.

You will note that a question is raised as to whether
 it will be suitable for the parties that the sittings in
 the Arbitration be held after Court hours, and, as
 we are informed that this is quite a usual condition
 in similar arbitrations, we are not raising any objec-
 tion. Will you please communicate direct with Sir
 Robert Finlay's clerk, giving your consent, if you
 agree, and let us know what you have done.

Defendants' Exhibit 98

11665

In accordance with the arrangement between us, we are sending copies of this letter and correspondence to the Secretary of the Conference, but we suggest that it might be understood for the future that correspondence on matters of details of arrangement, which cannot be of interest to the Conference, need not be so communicated.

Yours truly,
(sgd.) JAS. & ALEX ALLAN.

30.

11666

150 St. Vincent St.,

Glasgow, 17th March, 1909.

The Clerk to

Rt. Hon. Sir Robert B. Finlay, K. C., M. P.,

4 Temple Gardens,

London, E. C.

Dear Sir,

Certain questions have arisen between the Allan Line Steamship Co. Ltd., the White Star Line and the Dominion Line under four Agreements relating to the North Atlantic Passenger Conference, known as Agreements "A. A.," "V.," "W" and "Z," of which we enclose copies, and it has been agreed to refer these questions to Sir Robert B. Finlay as sole arbitrator. The Allan Line whom we represent, had prepared and sent to the other parties a Statement of their Claim, but the White Star and Dominion Lines wish to have a preliminary question as to the effect of the Agreement "A. A.," determined first, and have asked our Clients to communicate with Sir R. B. Finlay with the view to obtaining an appointment to arrange procedure. While not acknowledging that the course suggested by the White Star Line is the proper

11667

11668

Defendants' Exhibit 98

one our Clients in order to make progress, will be obliged if Sir Robert will make an appointment to hear Counsel on behalf of the parties upon the course of procedure for some day about the middle or end of next week. In order that he may see the actual position between the parties we enclose besides the Agreements, copy of the correspondence which has taken place between 15th December 1908, and the 16th instant and copy of the Statement and Claim sent to the White Star Line by our Clients.

We are, Yours truly

(Signed) WRIGHT, JOHNSTON & MACKENZIE.

11669

31.

4 Temple Gardens,
London, March 18th, 1909.

Dear Sirs,

Canadian Trade Agreements.

I am obliged by your letter of yesterday with reference to the arbitration in the above matter.

11670

I have spoken to Sir Robert Finlay with regard to his acceptance of the appointment as Arbitrator, but before accepting he desires me to ascertain approximately how many sittings would be required, as his engagements at the Courts will prevent him undertaking any arbitration of a protracted nature, and any appointments except after 4 o'clock would be subject to his Court engagements and there is usually some difficulty in arranging meetings convenient to all parties engaged.

Under these circumstances I shall be glad if you would favour me with your views as to the length of time and number of sittings that will be necessary and whether any witnesses will be called, and I will

Defendants' Exhibit 98

11671

again speak to Sir Robert Finlay on the matter and write you.

Yours faithfully,

"E. F. CRUST."

Messrs. Wright, Johnston & Mackenzie,
150 St. Vincent Street,
Glasgow.

32.

150 St. Vincent Street.
Glasgow, 19th March 1909.

11672

E. F. Crust, Esq.,
Clerk to Sir R. B. Finlay, K. C.,
4 Temple Gardens, E. C.

Dear Sir,

Canadian Trade Agreements.

We have received your letter of yesterday. As the parties have come to a practical Agreement that the Pleadings should be in the form of written Statements on either side, answered and adjusted, it is not at all likely there will be many sittings in the Arbitration, and so far as we can foresee, as the main facts are admitted, it will not be necessary to call evidence on either side. Our Clients have no objections to the appointments being fixed after the Court rises at four o'clock in the afternoon, and they are sending to the White Star Line a copy of the letters which have passed with you asking them to advise you direct whether they agree.

11673

We are

Yours truly,

(Sgd) WRIGHT, JOHNSTON & MACKENZIE.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 25 Mar. 1909. Ansd.

11674

Petitioner's Exhibit 1210.*G. No. 397.*

ATLANTIC CONFERENCE.

Secretary's Office,
 Telegraph Address:
 "Secretair," Jena.

Jena, March 22nd, 1909.

11675

Following further transports from the Universal
 Reisebureau, Vienna, arrived by way of Antwerp for
 the Atlantic Express:

	19th March	26	passengers
	19th	"	40
from G. Zürcher, Chiasso	19th	"	21

The total number reported for the next sailing, that
 is for S. S. "Volturno" which steamer should leave
 Rotterdam on the 20th, is:

684 adults, 19 children.

The Holland Line inform me that amongst the
 steeragers for the S. S. "Volturno" are again a good
 many passengers who came from England.

Respectfully,

11676

To the Parties:

North West Transport Line.

P. S. The parties are informed by telegraph that
 S. S. "Volturno" left Rotterdam March 20th with 10
 cabin passengers and 749 steeragers.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 24 Mar. 1909. Ansd.

Petitioner's Exhibit 1211.**11677***G. No. 398.***ATLANTIC CONFERENCE.**

Secretary's Office,
Telegraph Address:
"Secretair," Jena.

Jena, March 23rd, 1909.

To the Parties:

*Cunard Line's Fiume Service.***11678**

The Cunard Line write under date March 20th as follows:

"With reference to the provisional arrangement come to between the Cunard Line and the Conference Lines at Paris on the 22nd October last, vide Minute 76, for the inclusion of the Cunard Line's Westbound Fiume Service in the Atlantic Conference, we beg to refer to our letter of the 28th December, 1908, intimating in reply to your enquiry that negotiations up to that time had not resulted in our obtaining the approval of the Hungarian Government, and further, that applications made by this Company for permission to vary rates in order to regulate the traffic in the manner provided by Agreement A. A. had been declined, thus making it impossible for our Westbound Fiume Service to come under that Agreement, as from the 1st November, 1908. We now beg to mention that further negotiations have since taken place, with a view to obtaining the necessary approval of the Hungarian Government, but the Government will not give their

11679

Petitioner's Exhibit 1211

11680

sanction as certain arrangements between themselves and the Continental Lines have not been settled. Under these circumstances, we have no alternative but to give formal notice that as we have been unable to obtain the approval of the Hungarian Government as contemplated by Minute 76 above referred to, the inclusion of the Westbound Fiume Service in the Pool cannot be carried out. If, as a result of subsequent negotiations, we should be able to obtain the consent of the Hungarian Government to such an arrangement, we should be quite willing for the matter to be brought up afresh for consideration by the Atlantic Conference. Until then, the Cunard Company's Fiume Service will continue to be worked as already provided for under Appendix III of Agreement A. A.

11681

Kindly place this letter on Agenda for the next meeting of the Atlantic Conference."

The matter is placed on the Agenda.
Respectfully,

11682

Petitioner's Exhibit 1212.

11683

*G. No. 399.***ATLANTIC CONFERENCE.**

Secretary's Office,
Telegraph Address:
"Secretair," Jena.

Jena, March 25th, 1909.

To the Parties:

North West Transport Line.

11684

From Secretary Sandford I received following
copy of an advertisement of C. B. Richard & Co.:

**North-West Transport Line.
East Twin-Screw Passenger Service.**

**Between
New York and Rotterdam**

To Rotterdam	\$28.00	To Agram	\$35.45
To Bremen	28.00	To Krakau	\$32.35
To Hamburg	30.00	To Tarnopol	34.80
To Antwerp	29.00	To Vienna	32.85
To Budapest	34.15		

Commission \$3.00

11685

Next Sailings (subject to change).

From Rotterdam	Steamer	From New York
March 3d	"Raglan Castle"	Saturday March 27th
March 20th	"Voluturno"	Saturday April 10th
April 3d	"Uranium"	Saturday April 24th
April 17th	"Raglan Castle"	Saturday May 8th

C. B. Richard & Co., Gen. Pass. Agents, 31-33
Broadway, New York.

11686

Petitioner's Exhibit 1212

And further a circular dated March 4th, 1909, of which I give a copy annexed which explains itself.

Referring to the last section of circular Letter G No. 389, according to which I wrote Mr. Crespi about C. B. Richard & Co., Mr. Crespi writes under date March 22nd, as follows:

11687

" * * * I have duly received your favours of the 15th, 17th and 18th inst. and thanking you for your communications on the Italian Passengers booked to New York for the North West Transport Line, I have to inform you that I have requested Mr. Trucco to look into the matter and see whether something can be done according to your views."

Respectfully,

Annex to G 399.

Copy.

North West Transport Line.

East Twin Screw Passenger Service.

11688

Steamers
Hellium
Tithanium
Uranium

Steamers
Avoca
Raglan Castle
Voluturno

Between
New York-Rotterdam

Dear Sir:

The next sailing of the North West Transport Line is the twin-screw S. S. "Raglan Castle," from New York, March 27th 11 A. M.

Petitioner's Exhibit 1212

11689

We authorize you to book passengers, using the blanks of the New York & Continental Line until you receive a new supply from us.

Steerage Rates:

Rotterdam, \$28.00 Bremen, \$28.00

Hamburg, 30.00 Antwerp, 29.00

Commission, \$3.00

First Cabin to Rotterdam, \$50.00

Commission, \$4.00.

You may book passengers through to any inland town in Europe at the following rates:

11690

Agram	\$35.45	Krakau	\$32.35
Alexandrowo	31.40	Kronstadt	37.95
Basel	32.30	Laibach	36.40
Belgrad	36.10	Leipzig	29.80
Berlin	31.40	Lemberg	34.15
Bozen	35.65	Miskolcz	34.60
Brody	34.60	München	31.90
Budapest	34.15	Munkacs	36.55
Bukarest	37.55	Oderberg	31.90
Cöln	30.15	Odessa	36.60
Czernowitz	35.35	Ostrowo	31.15
Debreczin	37.35	Oswieczin	32.00
Dresden	30.25	Paris	31.75
Düsseldorf	29.95	Podwolozycka	35.05
Eperjes	33.85	Posen	30.65
Eydtkuhnen	33.00	Prag	31.35
Fiume	35.45	Rogasen	30.85
Frankfurt A. M.	30.55	Saratow	38.25
Galszecs	35.95	Schaffhausen	32.40
Graz	34.80	Smolensk	35.90
Hannover	29.80	Strassburg i. E.	31.75
Heidelberg	31.00	Stuhlweissenburg	35.80
Hermannstadt	36.20	Stuttgart	31.35
Illowo	32.00	Tarnow	32.80

11691

11692

Petitioner's Exhibit 1212

Innsbruck	33.05	Tarnopol	34.80
Inowrazlaw	31.15	Temesvar	37.95
Insterburg	32.70	Thorn	31.30
Jaslo	33.40	Tilsit	32.85
Jassy	37.05	Triest	35.80
Karlstadt	35.45	Trient	34.75
Kaschau	33.85	Ungvar	36.35
Klausenburg	37.75	Vienna	32.85
Königsberg	32.25	Warschau	32.90
Kowoo	33.65	Wilna	34.30

11693 Children between 1 and 12 years, half of above rates; under 1 year \$2.00.

We hope we can count upon your doing your share to assist us in booking a large number of passengers for the above sailing.

C. B. RICHARD & CO.,

Gen. Pass. Agents,

31-33 Broadway, New York

New York, March 4, 1909.

Next Sailings—(subject to change):

From Rotterdam	Steamer	From New York
March 3	"Raglan Castle"	March 27
March 20	"Voluturno"	April 10
April 3	"Uranium"	April 24

11694

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 29 Mar. 1909. Ansd.

Petitioner's Exhibit 1213.

11695

*G. No. 400.***ATLANTIC CONFERENCE.**

Secretary's Office,
 Telegraph Address:
 "Secretair," Jena.

Jena, March 29th, 1909.

To the Parties:

North West Transport Line.

11696

Following transports from the Universal Reisebureau, Vienna, arrived by way of Antwerp for the Atlantic Express:

	number of passengers
25th March	21
26th "	18
from G. Zürcher, Chiasso 26th "	20
	—
	59

As S. S. "Vulturno" left Rotterdam, March 20th, the above and following transports therefore will be forwarded by S. S. "Uranium" leaving Rotterdam, April 3rd. 11697

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 31 Mar. 1909. Ansd.

11698

Petitioner's Exhibit 1329.**ATLANTIC CONFERENCE.**

104. *Revival Byelaw 22.* The Lines, Allan excepted, agree to revive Byelaw 22 to meet the competition of the North West Transport Line. The Allan Line's share of participation to be borne by the other Lines in proportion to their shares.

105. *Reiscabureau Vaterland.* At the request of the Anchor Line the disqualification of the Reiscabureau "Vaterland" is to be reconsidered by the British Lines.

11699 106. *Infants rates.* Agreed to fix the infant rates
 I. class II. class III. class
 Westbound: M 40.— M. 30.— [M. 10.— plus headtax for aliens
 " 10.— for citizens]
 Eastbound: " 40.— " 30.— " 10.—
 except for Italian third Class business. The question of commission to be decided by the Liverpool Conference. These rates to come into operation on July 1st.

11700 107. *Cabin rates Mauretania, Lusitania, Caronia, Carmania, Oceanic, Adriatic.* All Lines, except as mentioned below, agree to reduce the present agreement first class rates of Mauretania and Lusitania, and the second class rates of Caronia, Carmania, Oceanic, Adriatic by 10/—or its equivalent in each case, eastbound and westbound. In view of Allan Line's objection to both classes, and Cie. Gle. Transatlantique to the second class the proposed alterations to be referred to Mr. Wilding for arbitration.

108. *First class Commission in New York.* The question of reducing 1st class commission in New York to 2% was deferred to further consideration.

109. *Places of meetings.* The next two meetings to be held in London. Places of subsequent meetings to be arranged later.

110. *Dr. Barnardo's charity children.* The proposition of the Dominion Line for charity children of Dr. Barnardo being excluded from the Pool is deferred to next meeting, the Allan Line recording their objection to the proposal.

111. *Passengers to St. Pierre, New Foundland.* It is confirmed that passengers by direct steamers to St. Pierre New Foundland do not come under the Agreements Z and AA.

112. *Arbitration of notice of withdrawal of the Allan Line from Agreement AA.* The result of the pending arbitration between Allan Line and White Star Line to be waited before taking action as regards the notice of withdrawal of the Allan Line from Agreement AA. In the meantime the other Lines protest against the action of the Allan Line and will in due course take same to arbitration. Mr. Ballin undertaking to prepare the case for the Conference Lines, other than the Allan Line.

11702

113. *Extension of Byelaw 78.* Agreed, except by Allan Line, that Minute 78 as far as it refers to prepaids of the Russian Volunteer Fleet, forwarded by the Russian East Asiatic Steam Ship Co., shall apply also to those prepaids forwarded before the date of the respective arrangement viz: October 22.

11703

114. *Commission of Grand Trunk Railway to North West Transport Line.* Letter from Grand Trunk Railway submitted, the C. P. R. representative advises they only allowed commission to the North West Transport Line on inland business, because they had been unable to induce the Grand Trunk Railway to agree not to do so and after they had found that the Inter Colonial Grand Trunk connection at Halifax were paying commission.

Petitioner's Exhibit 1320

11704

Mr. Sanderson was requested to approach the Grand Trunk Railway with a view to facilitating an agreement between the two Canadian railways (including Inter Colonial Railway) to allow no commission to the North West Transport Line.

11705

115. *Proposed pool for second class business.* The proposed general advance of westbound 2nd class rates was not agreed to, but an alternative suggestion to form a pool for second class business was made. The matter to be brought up at the next meeting. In the meantime the Secretary to circulate statistics for consideration.

116. *Cunard's Fiume service westbound.* The letter from the Cunard Line in regard to the Fiume westbound service, cancelling Minute No. 76 viz:

Liverpool March 20, 1909.

11706

"With reference to the provisional arrangement come to between the Cunard Line and the Conference Lines at Paris on the 22nd October last, vide Minute 76, for the inclusion of the Cunard Line's Westbound Fiume Service in the Atlantic Conference, we beg to refer to our letter of the 28th December, 1908, intimating in reply to your enquiry that negotiations up to that time had not resulted in our obtaining the approval of the Hungarian Government, and further, that applications made by this Company for permission to vary rates in order to regulate the traffic in the manner provided by Agreement AA had been declined, thus making it impossible for our Westbound Fiume Service to come under that Agreement, as from the 1st November 1908. We now beg to mention that further negotiations have since taken

Petitioner's Exhibit 1329

11707

place, with a view to obtaining the necessary approval of the Hungarian Government, but the Government will not give their sanction, as certain arrangements between themselves and the Continental Lines have not been settled. Under these circumstances, we have no alternative but to give formal notice that as we have been unable to obtain the approval of the Hungarian Government, as contemplated by Minute 76 above referred to, the inclusion of the West-bound Fiume Service in the Pool cannot be carried out if as a result of subsequent negotiations we should be able to obtain the consent of the Hungarian Government to such an arrangement, we should be quite willing for the matter to be brought up afresh for consideration by the Atlantic Conference. Until then, the Cunard Company's Fiume Service will continue to be worked as already provided for under Appendix III of Agreement AA."

11708

was read, and the notification accepted.

117. *First class intermediate season schedules.* It was agreed by all the Lines interested that the 1st class intermediate schedules as per Minute 96 are to be in the hands of all Agents not later than 3rd April next, after being first circulated through the Conference Secretary.

11709

118. *Control stations.* The question of the Control Stations was mentioned and the German Lines promised to pursue the matter further with the view to according facilities to passengers for the British Lines passing through the Control Stations en route to Rotterdam and Antwerp.

119. *Agreement BB.* Agreement BB with the Russian East Asiatic Co. was duly signed by all the A. C. Lines.

11710

Petitioner's Exhibit 1329

120. *Negotiations Scandinavian American Line.* The N. D. L. V. Lines agreed to the British Lines taking up negotiations with the Scandinavian American Line with the view to bringing them into the General Pool, the Scandinavian American Line not having been able to carry out the agreement made in Paris in October last which required them to establish Norwegian, Swedish and Danish services with five ships. The N. D. L. V. Lines leave the British Lines full discretion with regard to percentages, sailings, etc., but do not agree to the Scandinavian American Line being permitted to carry Continental passengers.

11711

121. *Jewish Hilfsvereine.* The question of disqualifying the Reisebureau Jewish Hilfsverein was not adopted.

122. *Proposed advance in II cabin rates.* The British Lines agree to advance their second class rates of Continental ports by 10 sh. provided the Continental Lines agree amongst themselves to make a similar advance.—Allan Line's Havre service excepted but subject to negotiations between the Allan Line and the Cie. Gle. Transatlantique.

11712

123. *C. P. R. Employees.* The question of C. P. Ry. carrying their Railroad employees 1st and 2nd class at reduced rates without accounting for them to the Pool was referred to, and it was agreed that the C. P. Ry. be accorded this privilege. The Allan, Dominion and Donaldson Lines reserving the same right.—The number of passengers so carried to be exchanged between the Canadian Lines.

With the above exception all passengers paying less than Agreement 2nd cabin rate by the carrying steamer are to be pooled.

124. *Exchange of Ppd Statistics of C. P. R. and Allan Line.* The C. P. R. and Allan Lines agree to

Petitioner's Exhibit 1329

11713

exchange their prepaid statistics with other Lines.

Paris, 25th March 1909.

Signed: W. Mc. K. Rodan, with the exception of No.

112 W. Mc. K. R.

" A. C. F. Henderson

" Geo. Mc. L. Brown

" William Watson

" S. Smith Moncur

" for Mr. Ballin, Dr. Murken

" J. G. v. Reuchlin

" Harold A. Sanderson

" Heineken

11714

" Ed. Strasser

" O. Cosulich for byelaws which affect Aus-
tro Americana

" Ch. Tattet for the Cabin Agreement

11715

11716

Petitioner's Exhibit 1328.

G. No. 401.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, March 29th, 1909.

To the Parties:

11717 Enclosed I beg to hand typed copies of the minutes of last meeting, printed copies will follow in a few days.

Respectfully,
H. PETERS, p. Rep.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 31 Mar. 1909. Ansd.

11718

Petitioner's Exhibit 1214.

11719

G. No. 402.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, March 31st, 1909.

To the Parties:

North West Transport Line.

Following further transports from the Universal
 Reisebureau, Vienna, and G. Zürcher, Chiasso, arrived
 by way of Antwerp for the Atlantic Express:

11720

		Number of passengers
Universal	{ March 27th	17
Reise-Bureau	{ " 28th	10
	{ " 29th	20½
G. Zürcher	{ " 28th	14
		<hr/>
		61½
Transport from G. No. 400		59
		<hr/>

120½

11721

for S.S. "Uranium" leaving Rotterdam April 3rd.

The Parties are informed that S.S. "Raglan Castle"
 left New York Saturday March 27th with 40 steer-
 agers.

I have informed Mr. Sandford that the committee
 as per Byelaw 22 is to be revived.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 2—Apr. 1909 Ansd.

11722

Petitioner's Exhibit 1215.*G. No. 403.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 1st, 1909.

To the Parties:

North West Transport Line.

11723 In G. No. 387 the number of steeragers embarked at Rotterdam for the S.S. "Voluturno," March 20th was reported with 749 souls. The correct number is 738. The steeragers were composed as follows:

	for Halifax	for U. S. A.	Total
from Russia	49	495	544
" England	64	—	64
" Italy	29	51	80
" Hungary	—	12	12
" Austria	13	21	34
" Bulgaria	—	1	1
" Syria	—	1	1
" Belgium	—	2	2
11724	<hr/> 155 <hr/>	<hr/> 583 <hr/>	<hr/> 738 <hr/>

Of the 64 passengers from England 6 came from London and 58 from Liverpool.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 3 Apr. 1909. Ansd.

Defendants' Exhibit 99.

11725

G. No. 404.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 2nd, 1909.

To the Parties:

Under separate cover I beg to send today printed
 copies of the minutes and byelaws of the last meeting
 as well as final copies of Agreement BB.

11726

Respectfully,

Petitioner's Exhibit 1216.*G. No. 405.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

11727

Jena, April 2nd, 1909.

To the Parties:

Advance in Continental eastbound steerage rates.

The Parties are aware that at the Paris Meeting the
 Cunard Line agreed to an advance of Mediterranean
 steerage rates by \$3 and that therefore there seemed to
 be no longer an obstacle to the general advance which
 had been recommended by cable to Mr. Sandford of
 February 7th. A corresponding cable was sent to Mr.
 Sandford on March 26th.

11728

Petitioner's Exhibit 1216

I now however learn by a cable which Lloyd has received, that this proposed advance has not gone into effect, because the Fabre Line demand for their S.S. "Roma" a differential rate which other lines (which ones is not stated) are not willing to concede.

The Holland America Line, presuming that the Italian eastbound rates had been advanced by \$3 proposed that also the continental steerage rates should be increased by the same amount.

11729 I am in communication with the Fabre Line and with the Italian Lines trying if the obstacle to the advance cannot be removed. If there should be no result there are two questions.

1) Can the eastbound continental steerage rates be advanced without risk to lose too many passengers to the Italian Lines, or

2) would the A. C. Lines agree to ask the Fabre Line how many % in excess of the number of steeragers which they actually get on the next sailings of the "Roma" they estimate they would have got if the differential which they claim had been granted and how much they estimate the net profit from each such passenger. And would the A. C. Lines agree to compensate the Fabre Line the amount of their thus estimated loss in the proportion of their eastbound continental carryings from the date of the advance in continental rates up to May 31st.

11730

The "Roma" sailed from New York February 27th and I think they could not possibly make more than one sailing before June 1st. So the compensation which the Fabre Line could claim would not amount to much, whilst \$3 increase on all continental steeragers would mean quite a lot of money.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 5—Apr. 1909. Ansd.

Defendants' Exhibit 100.

11731

G. No. 406.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 3rd, 1909.

To the Parties:

North West Transport Line. (G. No. 400, 402.) 11732

Following further transports arrived for the Atlantic Express by way of Antwerp:

from Universal Reisebureau, Vienna,

March 30th 20 (Russians)

" G. Zürcher, Chiasso March 31st 40

60

Brought over from G. No. 402 120½

180½

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 5—Apr. 1909. Ansd.

11733

11734

Petitioner's Exhibit 1217.*G. No. 407.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 5th, 1909.

To the Parties:

North West Transport Line. (G. No. 402.)

The Red Star Line report on April 1st

11745 95 passengers from Zürcher, Chiasso und
 22 3/2 " " Universal Reisebureau

have passed Antwerp for the North West Transport Line. In addition to those reported previously 237/1, 4/2 have come from the quarters mentioned.

Each report of Italian passengers booked for the North West Transport Line I have sent to the Secretary of the Italian Lines pointing to the progress this line, which has the assistance of one of their own agents, is making in Italian business.

The Hamburg-American Line have received the following report from their agent in Montreal:

11736

"I have letter from Mr. Roche of Halifax advising that the steamer 'Raglan Castle' from Rotterdam has brought out 183 steerage passengers, largely composed of Armenians, and of which 53 have been held up."

Respectfully,

P. S. S.S. "Uranium" left Rotterdam April 3rd with 450 steeragers and 22 cabin passengers.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 7 Apr 1909 Ansd.

Petitioner's Exhibit 1218.

11737

G. No. 408.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 7th, 1909.

To the Parties:

North West Transport Line. (G. No. 407.) 11738

The Red Star Line report that on April 2nd
 55 Italians from G. Zürcher, Chiasso
 12 Macedonians from Naum Christoff, Monastir
 16 3/2 passengers from Universal-Reisebureau, Vi-
 enna

83 3/2 passed Antwerp for the N. W. T. L.
 297 4/2 brought forward from G. No. 406/7

380 7/2

of these

105 7/2 were booked by Universal-Reisebureau, Vi-
 enna.

11739

263 were booked by Zürcher, Chiasso
 12 " " " Christoff, Monastir

The balance of 63 against the 450 steeragers which
 the "Uranium" got possibly came from England.

38 passengers from the Universal-Reisebureau
 which passed Antwerp April 4th, are no doubt for the
 "Raglan Castle" April 17th.

Respectfully,

11740

Petitioner's Exhibit 1219.*G. No. 409.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 8th, 1909.

To the Parties:

White Star £ 5 Greek rate.

11741

I received the following letter from Lloyd:

"We beg to refer to your telegram of 31st ult. advising the reduction of the White Star Line's rate for Greek and Oriental passengers to £ 5 net off Cherbourg. As this rate is considerably less than the rate of the White Star Line in effect from all other ports and even from Cherbourg for non Greek and non Oriental business, the consent of all Lines, according to Bye-law 18, Agreement AA., is required. Before giving our decision we should like to hear what reasons the White Star Line have for quoting a special rate for Greek and Oriental business instead of making a general reduction on their rates."

11742

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 17 Apr. 1909. Ansd 17 Apr. 1909.

Defendants' Exhibit 101.

11743

G. No. 410.

ATLANTIC CONFERENCE

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 8th, 1909.

To the Parties:

Monthly Statements for March.

According to Form 30, No. 3, I beg to inform the
 Parties that the following payments for the month
 of March are to be made:

11744

Continental Lines to Allan Line	£	3773.—.—	
" " " Anchor Line	"	2231.—.—	
" " " American Line	"	4040.—.—	
" " " Dominion Line	"	8771.—.—	
" " " White Star Line	"	1007.—.—	
" " " Cunard Line	"	2997.—.—	
" " " Canadian Pacific Ry. Co. "	"	288.—.—	
" " " Donaldson Line	"	160.—.—	
		<hr/>	
		£23267.—.—	
		<hr/>	

11745

I shall remit the amounts as soon as received.

Respectfully,

(Stamped): North Atlantic, Passenger Conference.
 Recd. 10 Apr. 1909. Ackd.; Ans.

11746

Petitioner's Exhibit 1220.

G. No. 411.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 8th, 1909.

To the Parties:

11747

Agreement BB.

My attention is drawn to the year 1911 not being clearly impressed on the second line of Art. 25 of Agreement BB. Will the Parties please make a note in their copies.

Respectfully,

11748

Petitioner's Exhibit 1221.

11749

G. No. 412.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 10th, 1909.

To the Parties:

*Payments to and from the Russian East Asiatic S. S.
 Co.*

According to Form 35 No. 3, the following payments are to be made for the month of March: 11750

Russian East Asiatic S. S. Co. to N. D. L. V. Lines	£ 629.	
Russian East Asiatic S. S. Co. to Anchor Line	" 17.	
Russian East Asiatic S. S. Co. to American Line	" 18.	
Russian East Asiatic S. S. Co. to Dominion Line	" 67.	
Russian East Asiatic S. S. Co. to Cunard Line	" 75.	
Allan Line to Russian East Asiatic S. S. Co.	" 51.	11751
White Star Line to Russian East Asiatic S. S. Co.	" 30.	
Canadian Pacific Ry. Co. to Russian East Asiatic S. S. Co.	" 57.	

To avoid to and fro remittances the Parties will
 please make them as follows:

Allan Line to Cunard Line	£ 16.
Allan Line to Anchor Line	" 17.
Allan Line to American Line	" 18.
White Star Line to Dominion Line	" 28.

11752

Petitioner's Exhibit 1330

White Star Line to Cunard Line	£ 2.
Canadian Pacific Ry. Co. to Cunard Line	" 57.
Russian East Asiatic S. S. Co. to N. D. L. V. Lines	" 629.
Russian East Asiatic S. S. Co. to Dominion Line	" 39.

The Parties will please inform me when they have made or received the remittances. The Russian East Asiatic Co. will please send their checks to me.

Respectfully,

11753

Petitioner's Exhibit 1330.

G. No. 413.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 10th, 1909.

To the Parties:

Advance in eastbound rates.

11754 The Mediterranean Lines having finally agreed to increase their eastbound rates by three dollars after 17th instant and Mr. Smyth having informed me that the British Lines will agree to the proposed advance of Continental eastbound steerager rates when the Mediterranean Lines have advanced theirs, I shall cable Mr. Sandford on Thursday next, that circulars announcing the immediate advance of Continental eastbound rates by three dollars are to be issued on April seventeenth.

The Lines will please instruct their American representatives accordingly.

Respectfully,

H. PETERS.

(Stamped): Received 13 Apr 1909 Ansd.

Defendants' Exhibit 102.

11755

G. No. 414.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 10th, 1909.

To the Parties:

North West Transport Line.

11756

As reported in G. No. 407 the SS. "Uranium" left Rotterdam April 3rd with 450 steeragers. The steeragers were composed as follows:

	for Canada	for U. S. A.	Total	
from Italy	108	82	190	
" Russia	15	133	148	
" England	34	8	42	
" Austria	12	21	33	
" Hungary	—	17	17	
" Turkey	—	16	16	
" Holland	—	2	2	
" Rumania	—	1	1	11757
" Germany	—	1	1	
	<hr/> 169 <hr/>	<hr/> 281 <hr/>	<hr/> 450 <hr/>	

Of the 42 steeragers from England 8 came from London and 34 from Liverpool.

Respectfully,

Petitioner's Exhibit 1222.

11758

G. No. 415.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, April 13th, 1909.

To the Parties :

North West Transport Line. (G. No. 414)

11759

S. S. "Vulturno" left New York Saturday April
10th with 40 steeragers.

Respectfully,

(Stamped) : Ismay, Imrie & Co. Passenger Dept.
Recd. 16 Apr. 1909. Ansd.

11760

Petitioner's Exhibit 1223.

11761

G. No. 416.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 14th, 1909.

To the Parties:

Pooling Passengers to & from Newfoundland.

11762

I beg to submit the following correspondence :

- 1) The Allan Line to the Secretary, March 30th:

"Referring to the Minutes of the meeting held at Paris on 25th inst., it appears from paragraph 8 that it is now agreed that Newfoundland passengers are not poolable under agreements, 'Z' and 'A.A.' We find that under a misapprehension as to this point we have pooled in 1908 one hundred and fifty-three Eastbound passengers from Newfoundland, and we have, therefore, overstated our carrying to this extent. We, therefore, claim a return of £612 to correct the above over-statement.

1.763

"We expect to have a further claim regarding Continental passengers carried Westbound to Newfoundland, and shall communicate with you when we have the figures before us."

- 2) The Secretary to the Allan Line, April 3rd:

"Minute 8 does not say that New Foundland passengers are not poolable but, that passengers by direct steamers to St. Pierre, New

Petitioner's Exhibit 1223

11764

Foundland do not come under the Agreements Z. & A.A. If this is applicable to your case please let me have details."

3) The Allan Line to the Secretary, April 6th:

"We have your letter of 3rd inst. We are quite aware of the wording of the Minute of 25th March, 09, paragraph 8, but we have to point out that this wording clearly implies that Newfoundland passengers are not poolable.

11765

"We have never had any direct steamers to St. Pierre, Newfoundland, but we have always had a regular service of direct steamers to and from St. John's, Newfoundland, and, as already advised, we have included by mistake in last year's returns a number of Newfoundland passengers. Apart from the Minute above referred to, we think it is clear from the wording of the agreements themselves that Newfoundland passengers are not poolable, and should not have been included in our returns. Newfoundland is an Island Colony, with separate Government, not included in the Dominion of Canada, and as the scope of Agreements 'A.A.' and 'Z' is expressly limited by the first Article in each agreement to passengers 'to and via the United States of America and Canada' and 'vice versa,' we think it is obvious that Newfoundland business does not come under these agreements, and therefore is not poolable.

11766

"In 1908 the Eastbound numbers from St. John's, Newfoundland, to Glasgow were 153. The number of Westbound Continental passengers was only 2, so that the total number wrongly included for which we claim a return from the Pool is 155. For the present season

Petitioner's Exhibit 1223

11767

and in future, we propose to exclude all Newfoundland business from our Pool returns."

I leave it to the Atlantic Conference to deal with the arguments of the Allan Line at the next meeting. But as the Allan Line have always had a regular service to and from "St. John's, Newfoundland" and as the figures of their carryings are consequently included in those figures on which their percentage is based, I think it obvious that the passengers have to be pooled.

Respectfully,

H. PETERS.

p. Rep. 11768

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 16 Apr. 1909. Ansd.

11769

11770

Petitioner's Exhibit 1224.*G. No. 417.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 15th, 1909.

To the Parties:

North West Transport Line (G. No. 408).

The Red Star Line report the following further passenger transports for the Atlantic Express:

11771

Passengers

April 6th from Universal Reisebureau, Vienna	8 1/2
April 9th from Universal Reisebureau, Vienna	26
April 10th from Universal Reisebureau, Vienna	17
April 11th from Universal Reisebureau, Vienna	7
April 12th from Universal Reisebureau, Vienna	4
April 13th from Universal Reisebureau, Vienna	4
11772 April 10th from G. Zürcher, Chiasso	2

68 1/2

brought forward from G. No. 407

38

Total for next sailing reported so far

106 1/2
passengers

Next sailing from Rotterdam April 17th S.S. "Raglan Castle."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 17 Apr 1909 Ansd.

Petitioner's Exhibit 1225.

11773

G. No. 418.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 15th, 1909.

To the Parties:

White Star £ 5 Greek rate.

11774

By G. 409 the Parties are informed that the White Star Line made a rate of £ 5 off Cherbourg for Greek and Oriental passengers. When they advised me of this rate I asked how they considered this consistent with Byelaw 18 and upon receipt of their reply that it was for adjustment purposes I wired them, that adjustment measures were also subject to Byelaw 18. The White Star Line then wrote me the following letter:

"We are in receipt of your favour of the 3rd instant confirming telegrams passed with regard to the recent reduction made in our third class rate off Cherbourg for Greek and Oriental business, and, in reply thereto, can only repeat the information given in our telegram of the 3rd instant, that the change in rate has been made with the view of adjusting our pool position in accordance with Article 11 of Agreement AA, it being incumbent upon the Lines to adopt measures calculated to bring about a correct adjustment.

11775

"The British Lines' third class rates for British, Scandinavian and Continental business

Petitioner's Exhibit 1225

11776

are not on a uniform basis and it has, as you are of course aware, been the practice to apply rate alterations to the different traffic and ports according to circumstances.

"We have for some time been quoting the following rates for Continental business:

"Riga, Libau, 200 Marks gross.

"Hamburg, Bremen, Rotterdam, Antwerp, 180 Marks gross.

"Havre, 160 Marks gross or 181.25 fcs. nett.

"Cherbourg, 150 Marks gross or 168.75 fcs. nett.

11777

"We therefore fail to see how it can be assumed we are adopting a special rate for Cherbourg business when our action is only continuing a long established policy."

It is this letter to which the following letter from the Hamburg American Line refers:

"We do not agree with the standpoint taken up by the White Star Line in regard to their quoting special rates for Greek and Oriental passengers off Cherbourg without having previously obtained the consent of the other parties.

11778

"It is quite true that the British Lines' third class rates for British, Scandinavian and Continental business are not on a uniform basis, but to the best of our knowledge the rates within each class of business are, so that for instance there are not two or more rates (*i. e.* ocean rates) at the same time in force for British passengers embarking on the same steamer for the United States, or two or more rates for Scandinavian passengers embarking on the same steamer at Liverpool for the United States

or Canada. This is at least the established principle governing the rates for Continental business.

"The Agreement A.A. in its main body does not make any difference as to British, Scandinavian and/or Continental passengers; it is only said in Appendix 1, under 2), that for British and Scandinavian business present rules and regulations are to apply. Nor does Agreement A.A. exclude the Continental Lines from carrying British or Scandinavian business. This obligation is, however, contained in Clause 13 of Agreement Z of even date, which forms a complement to Agreement A.A. It is to Agreement Z we must look for the definition of a Continental passenger, which is given in Clause 3 as follows:

11780

"A Continental passenger is (a) every passenger carried by the Lines parties to this agreement coming from or via ports between Cronstadt and Bordeaux inclusive."

"The distinction which the White Star Line seeks to import into Agreement A.A. between Continental and Greek and Oriental passengers is arbitrary and in contradiction with the rules established by contract. It is a distinction which is contained in another Agreement on Mediterranean business, which has nothing to do with the Agreements A.A and Z. A Greek or Oriental passenger embarking at Cherbourg or coming via Cherbourg is a Continental passenger in the sense of Agreement A.A. or Agreement Z. as well as any German, French or Swiss, etc. passenger embarking at or coming via Cherbourg. Quoting for the latter a regular rate of M 150 gross=Fcs. 168.75 net, and for the former £5 net=Fcs. 125 net.

11781

Petitioner's Exhibit 1225

11782

means quoting a special rate for a part of the Continental business, and, without having obtained the previous consent as prescribed by Byelaw 18, is against the contract.

"If the White Star Line say in their letter of 7th inst. that they are only continuing a long established practice, then we must own that we were not aware thereof for the time the Agreement A.A. is in existence, otherwise, we would have protested forthwith.

11783

"Looking at the position of the White Star Line in the General Pool we quite appreciate that they are adopting measures to adjust the pool-position. However, introducing special rates for a part of the Continental business is not only against the rules, but in our opinion an insufficient measure, and we therefore move that the White Star Line reduced their Continental rate allround and withdraw their special rate for part of Continental business."

Will the White Star Line and also the other A. C. Lines please let me know their position with regard to the motion of the Hamburg American Line.

Respectfully,

11784

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 17 Apr. 1909. Ansd.

Petitioner's Exhibit 1226.

11785

G. No. 419.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 19th, 1909.

To the Parties:

North West Transport Line.

The Red Star Line report the following further passenger transports for the Atlantic Express:

11786

	Passengers
April 15th from G. Zürcher, Chiasso	43
" 16th from G. Zürcher, Chiasso	65
" 15th from Universal Reisebureau, Vienna	4
" 17th from Universal Reisebureau, Vienna	2
	<hr/>
	114
brought forward from G. No. 417	106 1/2
	<hr/>

reported for S. S. "Raglan Castle" Total 220 1/2 11787

of these 110 1/2 were booked by Universal Reisebureau, 110 were booked by G. Zürcher (nearly all from Corecco & Brivio).

I have not yet received any news if "Raglan Castle" left Rotterdam April 17th, and with how many steeragers.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 22 Apr. 1909 Ansd.

11788

Petitioner's Exhibit 1227.*G. No. 420.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 20th, 1909.

To the Parties:

White Star £5 Greek rate. (G. No. 418)

11789

White Star, referring to G. No. 409 write:

"We would refer you to ours of the 7th instant (G. No. 418) which has crossed your G. 409 embodying letter from North German Lloyd."

In connection with the above point is the following letter from Lloyd:

11790

"With reference to circular letter G. No. 418, we can not but share the opinion of the Hamburg American Line that the White Star Line's £5 rate off Cherbourg for Greek & Oriental business must be considered a special rate which, according to Bye-Law 18 Agreement A. A. is subject to the approval of the Lines.

"As to the motion of the Hamburg American proposing a general reduction on the White Star Line's continental rates, we think it well to draw attention to the fact that, while the carryings of the British Conference Lines at the beginning of the year usually remain behind their share, they are generally in excess of it during the rest of the year, which is proven by the following figures:

Petitioner's Exhibit 1227

11791

Landed	1905	1906	1907
January-April			
Continental Lines	152293	142549	150167
British Line	72640	75859	76585
	<hr/>	<hr/>	<hr/>
British Lines' share	32.30%	34.80%	33.80%

May-December

Continental Lines	208121	267083	315095
British Lines	134679	186353	202217
	<hr/>	<hr/>	<hr/>
British Lines' share	39.00%	41.10%	39.10%

11792

January-December

Continental Lines	360414	409632	465262
British Lines	207319	262212	278802
	<hr/>	<hr/>	<hr/>
British Lines' share	36.50%	39.00%	37.50%

"In view of this fact we do not wish to press the White Star Line for the present to reduce their rates if they think they will be able to make up their minus without any such reduction."

11793

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 22 Apr. 1909. Ansd.

11794

Petitioner's Exhibit 1228.*G. No. 421.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 20th, 1909.

To the Parties:

Communications to parties outside of the Agreements.

The Norddeutscher Lloyd write:

11795

"The attention of the Lines has repeatedly been called to cases of non-compliance with Bye-Law 15, Agreement A.A. and to the possible consequences thereof. Another very serious case of this nature has recently come to our notice. We have been informed on very good authority that the Italian Commissariate are not only informed of the existence of the "Atlantic Conference" but know all the rules and regulations governing it, in fact this authority is said to be so well informed of all the conditions of the said contract that they appear to be in possession of a copy of same. As the Italian Lines, so far as we know, have never been supplied with any copies or extract of this agreement, no blame can be thrown on them and we fear that the indiscretion can only have been committed by a party to the A. C. In view of the above we consider it our duty to again impress upon the Lines the absolute necessity of keeping these contracts secret and not allowing them to pass into hands of people who have not directly to deal with them."

11796

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 22 Apr. 1909. Ansd.

Petitioner's Exhibit 1229.

11797

G. No. 422.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 20th, 1909.

To the Parties:

North West Transport Line.

11798

I informed the Parties that S. S. "Raglan Castle" left Rotterdam on Monday April 19th with 274 steeragers. As 220 1/2 steeragers are reported in G. No. 419 from the Continent, it is to be supposed that the rest of 53 1/2 steeragers were booked in England.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 22 Apr. 1909. Ansd.

11799

11800

Petitioner's Exhibit 1230.*G. No. 423.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 23rd, 1909.

To the Parties:

II Cabin rates.

11801

As stated in byelaw 122 a general advance in the II Cabin rates was proposed by the British Lines subject to the Continental Lines agreeing amongst themselves and further subject to an understanding between the Allan Line, Havre service and the Cie. Gle. Transatlantique. As to the latter proviso I hear from Transat that the Allan Line wanted to take the matter up by correspondence but so far have not done so.

Respectfully,

11802

Defendants' Exhibit 103.

11803

*G. No. 424.***ATLANTIC CONFERENCE.**

Secretary's Office,
Telegraph Address:
"Secretair," Jena.

Jena, April 23rd, 1909.

To the Parties:

North West Transport Line.

By G. No. 407 the Lines know, that the reports on Italian passengers for the N. W. T. L. have been regularly sent to the Secretary of the Italian Lines.

11804

To-day I received the following letter from him:

"* * * En me référant ensuite à ma lettre du 23 Mars je désire vous entretenir sur la question concernant les passagers italiens qui se rendent à Rotterdam pour s'embarquer sur les bateaux de la North West Transport Company.

"Le spect. Lloyd Italiano n'a pas manqué de télégraphier aux propres Agents à New York en leur communiquant les réclamations de toutes les Compagnies de Navigation à cause de l'acceptation de leur part de la représentation de la North West Transport Co. en s'agissant d'une concurrente dans le service du transport des émigrants italiens via Rotterdam.

11805

"Les Agents du Lloyd Italiano lui ont répondu en déclarant que de leur côté ils se sont refusés à la proposition de la Ligne susdite d'établir un service italien et que par conséquent ils ne vendent ni Outwards, ni Prepaids.

"Je vous informe que malgré une telle communication le Lloyd Italiano continue la correspondance avec ses Agents pour essayer de

11806

Petitioner's Exhibit 1231

leur faire abandonner l'Agence de la N. W. T. C., bien que ces Agents ne se mêlent pas du trafic des passagers italiens via Rotterdam.

"J'aurai soin de vous participer en son temps le résultat des démarches du Lloyd Italiano."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 26 Apr. 1909. Ansd.

11807

Petitioner's Exhibit 1231.

G. No. 425.

ATLANTIC CONFERENCE.

Secretary's Office,
Telegraph Address:
"Secretair," Jena.

Jena, April 24th, 1909.

To the Parties:

Proposed second cabin Pool.

11808

In accordance with Minute 115 I beg to send some copies of statistics of passengers forwarded in second class and intermediate in the years 1899—1908 west and eastbound; they are drawn from "Strasser's Statistics." As to the figures for 1908 I beg to say that they are still to be corrected in accordance with the final "Strassers Statistic" for 1908, which will be prepared as soon as I have received the corrected figures from Mr. Sandford.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 27, Apr. 1909 Ansd.

Petitioner's Exhibit 1232.

11809

G. No. 426.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 26th, 1909.

To the Parties:

North West Transport Line.

The 274 steeragers reported in G. No. 422 which sailed with S. S. "Raglan Castle" April 19th from Rotterdam to Halifax and New York were composed as follows:

11810

	for Halifax	for U. S. A.	Total
from Italy	96	29	125
" Russia	37	72	109
" England	23	9	32
" Rumania	4	—	4
" Hungary	—	3	3
" Austria	1	—	1
	<hr/> 161	<hr/> 113	<hr/> 274

Of the 32 steeragers from England 9 came from London and 23 from Liverpool. Nearly all the passengers which the N. W. T. L. so far has got from Liverpool are Armenians. Are there no means to get hold of them for a Conference Line, so as not to let the N. W. T. L. get them?

11811

S. S. "Vultur" which left New York as reported in G. No. 415 with 40 steeragers debarked her steeragers on a tug at Hoek van Holland April 23rd and proceeded at once to Hamburg. The tug landed the steeragers at the station of Rotterdam.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 28 Apr. 1909. Ansd.

11812

Petitioner's Exhibit 1233.*G. No. 427.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 26, 1909.

To the Parties:

11813

*Pooling passengers to & from Newfoundland. (G.
 No. 416.)*

On this point the following letters have been received from the
 Anchor Line:

11814

"We have perused the letters sent to you by the Allan Line on this question and we also note the remarks you make on these letters. In our view we can only say that we entirely agree with your contention. At the Paris Meeting held on the 25th March, the question of pooling passengers that had been carried by the French Line to St. Pierre was not meant to cover traffic to Newfoundland. The traffic concerned was solely that of Fishermen going out *direct* to the port of St. Pierre and or by special steamers. The question of carryings to and from St. Johns Newfoundland or other port under the ordinary tariff was not thought of at Conference."

Allan Line:

"We have your circular G. No. 416, dated 14th inst. and with reference to your conclud-

Petitioner's Exhibit 1233

11815

ing paragraph we have to point out that our existing percentages under Agreement "A. A." Eastbound, and under agreement "Z" Westbound, are not based exactly on the actual numbers carried in any stated period. The percentages were arrived at as the result of negotiation and agreement between the parties."

Further correspondence is to no purpose. If the Allan insist on the 153 passengers which they state to have carried from Newfoundland last year not being pooled, they will have to bring their claim to arbitration.

11816

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 28 Apr. 1909 Ansd.

11817

11818

Petitioner's Exhibit 1234.*G. No. 428.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 26th, 1909.

To the Parties:

11819

North West Transport Line.

Mr. Sandford writes:

"S. S. 'Uranium,' scheduled Eastbound 24th April.

"The 'Small' Committee has considered the competition and has recommended that no action be taken. Eastbound business is, of course very light, and it hardly seems worth while to take any competitive action until further developments may indicate that protective steps are justified."

Respectfully,

11820

P. S. S. S. "Uranium" sailed Saturday, April 24th from New York with 100 steeragers.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 28 Apr, 1909 Ansd.

Petitioner's Exhibit 1235.

11821

G. No. 429.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, April 28th, 1909.

To the Parties:

II. Cabin rates.

11822

As to the proposed advance in II cabin rates I beg to rectify circular letter G. No. 425 in the direction that the proposed advance should only refer to Continental rates and that this proposition was made by the Continental Lines.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 30 Apr. 1909. Ansd.

11823

11824

Petitioner's Exhibit 1236.*G. No. 430.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 29th, 1909.

To the Parties:

II. Cabin rates (G. 429.)

In reply to G. No. 423 the Allan Line write:

11825

"We have to say that we feel strongly that the minimum second cabin rates at present in force for our Havre service are fixed too high, and we cannot entertain any advance. On the contrary, we have to propose a reduction. Our difficulty could not be removed by negotiation with the Cie. Gle. Transatlantique as the competing rates by some of the British Lines are even more unfavorable to our service than any rates in force by the Cie. Gle. Trans. As one instance of this we would mention the following rates made *from Paris* by the Liverpool steamers of the White Star & Dominion Line:

11826

By 'Laurentic' and 'Megantic'	280 francs.
'Canada' and 'Ottava'	265 francs.
'Dominion' and 'Vancouver'	250 francs.

"This compares with our minimum rate of 250 francs *off Harve* by our steamers 'Sicilian' and 'Corinthian,' which steamers should of course be in a position to quote a lower rate than the much larger and faster steamers of the Liverpool service. In these circumstances we do not see that we can make any progress by corresponding with the Cie. Gle. Transatlantique."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 1 May, 1909. Ansd.

Petitioner's Exhibit 1237.

11827

G. No. 431.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 29th, 1909.

To the Parties:

II Cabin statistics. (G. No. 425.)

In the statistics of II cabin passengers I regret to say have occurred several errors bearing westbound on the years 1899—1903 and eastbound on 1905 and 1906 I therefore beg to request to destroy the sheets showing said years and to substitute them by the enclosed ones.

11828

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 1 May, 1909 Ansd.

11829

11830

Petitioner's Exhibit 1238.*G. No. 432.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 30th, 1909.

To the Parties:

Arbitration clause 107.

11831

I beg to promulgate the following statement of the Cie. Gle. Transatlantique *re* the proposed reduction in I and II class rates of Mauretania, Lusitania, Caronia, Carmania, Oceanic and Adriatic:

"Under Agreement W the steamers:

'Adriatic'
 'Carmania'
 'Caronia'
 'Oceanic'

are to quote the minimum rate of £12 off Continental ports for second class business.

11832

"On the 25th of March in a meeting held in Paris the Cunard Co. & White Star Line sought to obtain a lower minimum rate for the above named steamers, and they asked that the minimum rate stipulated in agreement W should be reduced by ten shillings. This reduction was granted to them by the members of the Atlantic Conference with the exception however of the Allan Line and the Cie. Gle. Transatlantique.

"The Cie. Gle. Transatlantique cannot possibly accept such a reduction, for it would upset the classification adopted in London on February 5th, 1908 which seemed to every one concerned to be just and fair. Were the Cu-

nard Co. & White Star allowed to quote £11. 10.0 off Continental ports for their steamers 'Adriatic,' 'Caronia,' 'Carmania,' 'Oceanic' it would mean that these steamers which are of recent built (at least the first three ones) and whose tonnage is 24500 & 19500 respectively are entitled to the same rate as 'La Savoie' & 'La Lorraine' steamers of 11,000 tons which have already been running 9 years in the New York service. Such a result would be an anomaly and it is evident that there must be a differential of at least 10 shillings between 'Adriatic,' 'Carmania,' 'Caronia' & 'Oceanic' on one side and 'La Savoie' & 'La Lorraine' on the other.

11834

"Besides, the Strassers' statistics do not show that the year 1908 (the first year of the Agreement W) was not favorable to the White Star & the Cunard Line as far as second class business is concerned.

"According to the said statistics there was a large decrease in the number of second class passengers carried by all the lines in 1908 compared with the same carryings in 1907. This decrease amounts to 27.4% West and 3.5% East.

11835

"In spite of this the White Star Line & the Cunard Co. have not only fully maintained their position in the general traffic but, as it will be seen from the following figures, they have strengthened it. The Cie. Gle. Transatlantique on the other hand has been loosing ground.

Petitioner's Exhibit 1238

11836

1. Cunard S. S. Co.

	1907	1908	Gain	Loss
West	7.68	10.61	2.93	
East	10.37	12.91	2.54	

2. White Star.

West	8.22	9.55	1.33	
East	9.38	10.51	1.13	

3. Transat.

	West	4.79	4.90	0.11	
11837	East	5.54	5.37		0.17

"Looking thro' Mr. Peters' statistics one finds that from the 1st of March till the 31st of December, 1908 the following number of second class passengers were carried by each of the following boats:

	Minimum	Passengers	Trips	Average
Amerika	£ 13	2480 (2423)	10	248 (242).
Aug. Vic.	£ 13	2178 (2182)	9	242 (242).
Cecilie	£ 13	2122 (2173)	10	212 (217).
Adriatic	£ 12	2251 (2241)	11	204 (204).
Kaiser W. II. ..	£ 13	1962	10	196
11838 Provence	£ 12	1889	10	189
Deutschland ...	£ 13	1260 (1244)	7	188 (178).
Kaiser W. d. G.	£ 13	1774 (1842)	10	177 (184).
Caronia	£ 12	1313	8	164
Carmania	£ 12	1154	7	164 (165).
Savoie	£ 12	1137	7	162
Lorraine	£ 13	1447	10	144
Oceanic	£ 13	1307 (1298)	11	118 (118).

"It follows that the 'Adriatic' has practically had the same average of passengers than the 'Kronprinzessin Cecilie' and has carried more

than the Lloyds Kaisers steamers & 'Deutschland.' One cannot say therefore that the 'Adriatic' has any reason to complain. As to 'Caronia,' 'Carmania' they do not seem to have been fully employed; they have done better however than 'Savoie' & 'Lorraine' and especially than the latter. 'Oceanic' evidently has sustained a set back.

"The Cie. Gle. Transatlantique do not think therefore that there is any special reason for allowing a reduction of 10/—to the steamers 'Adriatic,' 'Carmania,' 'Caronia' & 'Oceanic.' They ask the arbitrator to declare that no change is to be made in the present schedule of agreement W or if a reduction is granted to the White Star & the Cunard Co., that the Cie. Gle. Transatlantique is also entitled to take ten shillings off their minimum rates under agreement W and to quote for their steamers for second class business the following minimum rates.

11840

'Provence	£ . 11 . 10 . 0
'Savoie,' 'Lorraine'	£ . 11 . 0 . 0
'Touraine'	£ . 10 . 10 . 0
'Bretagne,' 'Chicago,' 'Gascogne'	£ . 9 . 10 . 0

11841

CIE. GLE. TRANSATLANTIQUE."

As to the figures drawn by Transat from the weekly statistics I beg to say that upon investigation I found some small divergencies which I took the liberty to note in brackets.

I would request the Cunard and White Star Lines to give their replies to the above statement in two copies one for Mr. Wilding and one for me to Mr. Smyth.

Respectfully,

11842

Petitioner's Exhibit 1239.

May 10th, 1909.

The Secretary,
North Atlantic Passenger Conference,
James Street,
Liverpool.

Dear Sir:

Revision of Second class rates.

11843

Referring to Secretary Peters' letter of the 30th ultimo, G. No. 432, with regard to Minute No. 107 of the Paris meeting of March 25th, 1909, we beg to submit the following for the consideration of the Arbitrator.

In the first instance we wish to draw the arbitrator's attention to the minute in question, which reads as follows:

"All Lines, except as mentioned below agree to reduce the present agreement First class rates of 'Mauretania' and 'Lusitania' and the Second class rates of 'Caronia' 'Carmania' 'Oceanic' and 'Adriatic' by 10/—or its equivalent in each case, eastbound and westbound.

11844

"In view of Allan Line's objection to both classes, and Cie. Gle. Transatlantique to the Second class the proposed alterations to be referred to Mr. Wilding for arbitration."

It has since transpired however, that only Transat object to the proposed reduction of 10/—in the Second class rates of the "Adriatic" and "Oceanic."

Dealing with the case submitted by the French Line against this reduction, we wish to point out that the first set of figures quoted by them giving percentages are misleading, as they are based on total carryings which include a number of Lines not parties to Agreement 'W.' We would further submit that Agreement 'W' is in no sense a pooling agreement, and that

the individual steamers are rated on certain broad lines, and such rating has no relation to the total carryings by any one Company. For instance, a Company bringing out a number of new steamers in one year would naturally considerably increase its carryings, but under this Agreement the other Lines could not on that account demand that the rates for its various steamers should be advanced.

Our argument is, (and we believe this will not be disputed) that each steamer has to be rated on its own merits and not in relation to the total carryings by the Company.

To deal with each steamer separately, we will first mention the

11846

"Oceanic." Under the Second class Agreement of March, 1905, this steamer was rated at (off Continental port) £11. 0. 0. She thus enjoyed a differential of 10/—against the steamers "Amerika," "Kaiserin Auguste Victoria" and the twin-screw steamers of the Cie. Gle. Transatlantique, which were rated at. . . . £11. 10. 0.

Under the Agreement "W" the "Oceanic" is rated at £12. 0. 0. (off Continental port)—an advance of £1. 0. 0.

The rate for the twin screw steamers "Lorraine" and "Savoie" was undisturbed, they remaining at. . . £11. 10. 0. This meant that the differential of ten shillings which was formerly accorded to the "Oceanic" was reversed in favor of the former steamers, although of more recent construction than the "Oceanic" and of about equal speed.

11847

The rate for the "Amerika" and "Kaiserin Auguste Victoria" although of more recent build than "Oceanic" was only advanced by 10/—, as against an advance of £1 made for the "Oceanic."

These changes have undoubtedly had an adverse effect on the "Oceanic's" bookings as the figures appended will show:

11848

Petitioner's Exhibit 1239

WESTBOUND.

Average number of passengers per sailing.

1905.	1906.	1907.	1908.
			1st March-31st December.
"Oceanic."	167.	176.	209.
			99.

(These figures are the average number of passengers carried during the years named but exclude the numbers carried in August and September.)

11849

EASTBOUND.

Average number of passengers per sailing.

1905.	1906.	1907.	1908.
			1st March-31st December.
"Oceanic."	126.	145.	131.
			86.

"Adriatic." In the case of the "Adriatic," this steamer is rated under the present agreement in the same class as the "Provence," "Amerika" and "Kaiserin Auguste Victoria," whereas the steamers "Lorraine" and "Savoie" are rated at 10/—less, and it is apparent, in view of the figures we beg to submit, that the "Adriatic" has been excessively rated.

11850

In conclusion, we give the following comparative statistics of steamers sailing with the "Adriatic" and "Oceanic" to and from Channel ports, which under the present agreement quote level rates. In the case of the "Lorraine" and "Savoie" the rate for these steamers is £11. 10s.

These figures speak for themselves and clearly show the loss the "Adriatic" and "Oceanic" have sustained. August and September are excluded in the Westbound statistics, as during these months the steamers are all full Second class, passengers being shut out for most sailings; hence the rate agreement has then no practical bearing.

Petitioner's Exhibit 1239

11851

WESTBOUND.

	1907.	1908.	
	1st Jan-31st Dec.	1st Mar-31st Decr.	Decrease.
"Amerika"	247.	242	5.
"Kaiserin A. Vic."	248.	225.	23.
"Adriatic"	306.	138.	168.
"Oceanic"	209.	99.	110.
"Provence"	231.	195.	36.
"Savoie"	191.	150.	41.
"Lorraine"	201.	135.	66.

11852

EASTBOUND.

	1907.	1908.	
	1st Jan-31st Dec.	1st Mar-31st Decr.	Decrease.
"Amerika"	188.	160.	28.
"Kaiserin A. Vic."	210.	202.	8.
"Adriatic"	166.	103.	63.
"Oceanic"	131.	126.	45.
"Provence"	126.	113.	13.
"Savoie"	105.	98.	7.
"Lorraine"	92.	98.	
		(increase)	6.

11853

We therefore formally request the Arbitrator to reduce the rates of the "Adriatic" and "Oceanic,"

for Continental business to.....£11. 10. 0.

for British business to.....£10. 10. 0.

Yours faithfully,

11854

Petitioner's Exhibit 1331.*G. No. 433.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, April 30th, 1909.

To the Parties:

North West Transport Line.

11855

The Red Star Line wired me that yesterday 120 Italians passed Antwerp for N. W. T. L., the majority of which on being interrogated declared having booked with Corecco & Brivio.

It seems that several of the A. C. Lines are in direct or indirect connection with this firm and if this be so, Byelaw 20 no doubt would apply. It is true that Corecco & Brivio are also agents of the Cie. Gle. Transatlantique who are not under obligation to disqualify that firm but if they find that a strong warning should have no effect perhaps they might be disposed to join, if they could be made sure, that then Corecco & Brivio would be limited to the N. W. T. L.

11856

The comparative high number of 100 steeragers by the "Uranium" last Saturday from Newyork is no doubt due to the recent advance in Continental steerage rates and it must be expected that the following sailings will show similar results. I do not see, why recourse can not be taken to Byelaw 20 with regard to Messrs. C. B. Richard & Co. or why not the A. C. Lines could put before the alternative either for us or for N. W. T. L. but not for both.

Petitioner's Exhibit 1331

11857

If the lines were unanimous in this respect they would also back the Lloyd Italiano in their position against C. B. Richard & Co.

The Russamerika inform me, that their agent in Minsk has received an offer of Roubles 52 off Rotterdam from Kahan, London.

Gradually the N. W. T. L. will get ground more and more unless more serious steps are taken to meet it than hitherto.

Action of the "small committee" in Newyork might have some effect on their eastbound traffic but with the present continental rates it would be rather expensive. If the Russamerika could arrange their eastbound sailings to meet those of the N. W. T. L. they might be a good opposer, as considering their big shortage they could reduce their rate to make it up.

11858

A report just received from the Red Star Line shows that from April 18th to 27th 120/1, 5/2 passed Antwerp, all booked by the Universal Reisebureau and besides on 27th, 4 passengers from Zürcher, Chiasso.

I am waiting if any of the Parties wish to make proposals.

Respectfully

P. S. Besides the passengers mentioned above there passed Antwerp yesterday 51 passengers from Universal Reisebureau, to-day 31 and 12 from Zürcher making 343 in all. The last steamer of the N. W. T. L. on April 19th got 274, whilst the "Voturno" which is to sail from Rotterdam may easily come up to 400.

11859

(Stamped): North Atlantic Passenger Conference.
Received 3/5 1909. Acknol'd 1909 Answered
1909.

11860

Petitioner's Exhibit 1240.

G. No. 434.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, May 1st, 1909.

To the Parties:

11861 As next week I have to go to London for a meeting I intend to avail of that opportunity to verify the Statistics of the British Lines. I shall inform in due time the different Lines when I expect to call on them.
Respectfully,

11862

Petitioner's Exhibit 1241.

11863

G. No. 435.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, May 3rd, 1909.

To the Parties :

Superlatives. (G. No. 317.)

The Holland America Line sent me an advertisement in a Dutch paper in which the Allan Line is advertised as "the best and fastest connection between Holland and Canada;" upon representation to the Allan Line the latter answer that they make their withdrawal of the advertisement dependent upon the White Star Line's withdrawing their handbills regarding the Laurentic in which this steamer is declared to be the largest and most modern steamer in the Canadian trade.

11864

The White Star with whom I communicated answer :

"When this matter was discussed in Paris, it was understood that no objection could be taken to superlative references provided they are confined to statements of fact and are not merely matters of opinion, and we therefore consider ourselves justified in making the statement that the "Laurentic" is the largest and most modern steamer in the Canadian trade.

11865

"The superlative adjective 'best' implies an expression of opinion, and not necessarily of fact, and it is therefore open to question whether any Line or steamer can justifiably put forward this claim, and we for our part consider that it is a phrase which should be barred."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 5 May, 1909. Ansd.

11866

Petitioner's Exhibit 1242.*G. No. 436.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 4th, 1909.

To the Parties:

North West Transport Line. (G. 433.)

11867 The Red Star Line report the following passengers
 for the North West Transport Line:

April 29th from Universal Reise-Bureau, Vienna
 51 1/2 passengers.

April 30th from Universal Reise-Bureau, Vienna
 30 passengers.

April 30th from Zürcher 12 passengers.

May 1st from Universal Reise-Bureau, Vienna 15
 passengers.

The 12 passengers from Zürcher contend to come
 from Ezio Corecco at Brieg.

As I informed the parties the Volturno left Rotterdam on Saturday night with 32 cabin passengers and
 11868 387 steeragers, of which about 230 with Halifax for
 destination.

Of the steeragers were according to the reports of
 the Red Star Line:

216 adults, 6 children from the Universal-Reise-
 bureau, Vienna, and 16 from Zürcher, Chiasso = 238
 souls, so that 149 steeragers must have come from
 elsewhere.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept
 Recd. 6 May, 1909. Ansd.

Petitioner's Exhibit 1243.

11869

G. No. 437.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 6th, 1909.

To the Parties:

Arbitration under Minute 107. (G. 432.).

11870

The Allan Line write:

"Referring to your G. No. 432, we note that in their statement to the arbitrator on the proposed reduction in first and second class rates, the C. G. T., ask the arbitrator to decide that no change is to be made in the present schedule, or *alternatively* that if a reduction is granted to the White Star and Cunard Lines, that the C. G. T. is entitled to a similar reduction. In view of this alternative claim put forward by the Compagnie Generale Transatlantique, we have to make a similar claim on behalf of the Allan Line, viz., that in the circumstances contemplated the Allan Line should be allowed to reduce its first and second class rates by ten shillings and so preserve the existing differentials."

11871

I informed Mr. Wilding of the above claim of the Allan Line.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 10 May, 1909 Ansd.

11872

Petitioner's Exhibit 1244.*G. No. 438.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 6th, 1909.

To the Parties:

Arbitration Allan—White Star Line. (G. No. 396.)

11873

The Allan Line and simultaneously the White Star Line send me the following copy of a letter from Sir Robert Finlay, conveying his decision on the preliminary question (vide letter No. 19 of G. No. 377). The copy reads:

"4 Temple Gardens,
 London, E. C.,
 April 30th, 1909.

"Dear Sirs:

ALLAN & WHITE STAR LINES

ARBITRATION.

"I decide that the White Star Line are parties to and bound by the Agreement "A. A."

11874

"I reserve the question of costs until the Arbitration shall have been contemplated.

Yours faithfully,

(Signed.) R. B. FINLAY.

To.

Messrs. Wright, Johnston & Mackenzie,
 Glasgow,

and

Messrs. Hill, Dickinson & Co.,
 Liverpool.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 10 May, 1909. Ansd.

Petitioner's Exhibit 1245.

11875

*G. No. 439.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 6th, 1909.

To the Parties:

Revival Byelaw 22.

I received the following information of April 27th
 from Mr. Sandford on the working of the small Com-
 mittee:

11876

"First steamer under consideration was
 'Uranium,' sailed hence April 24th. 'Small
 Committee' considered the competition and re-
 ported informally and in large measure verb-
 ally that although the net rate was supposed
 to be \$23, it seemed desirable not to put on an
 opposition rate—taking this somewhat as an
 experiment justified by the small numbers car-
 ried by the previous sailing of the Northwest
 Transport Line.

"For your information, we cabled, April 26;
 'Uranium 95.' The other steamers sailing on
 April 24, with their third class figures, are as
 follows:

11877

New York,	141	Floride (French)	6
Furnessia,	90	K. A. Victoria	616
Carmania,	266	Lapland	325
Baltic	158,		

"Above, in the opinion of 'Small Committee'
 amply proves that their report was conserva-
 tive and justified."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 10 May, 1909 Ansd.

3959

11878

Petitioner's Exhibit 1246.*G. No. 440.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 11th, 1909.

To the Parties:

Superlatives. (G. 435.)

11879

The Allan Line write:

"Referring to your circular G. No. 435, we must protest against your gross misrepresentation in that circular of our letter to you. In our letter we clearly stated that we had no objection to altering the wording of the Dutch advertisement referred to, but before doing so we wished to understand whether or not it was generally agreed that the use of superlatives was barred by Article 16. We mentioned the advertisements of the White Star Line only as instances of the continued use of superlatives by other Lines, and our letter gave you no ground for saying that we made our withdrawal of the Dutch advertisements dependent upon the White Star Line withdrawing their handbill. As you did not circulate our original letter, we must ask you to circulate this correction of your present circular.

11880

"As to the letter from the White Star Line, we have only to say that it is evident from this that there is no agreement as to the effect of Article 16. We are directing our agents to alter the Dutch advertisement complained of

Petitioner's Exhibit 1246

11881

by the Holland-America Line, as we are anxious to avoid including in our advertisements anything offensive to the other Lines in Conference. At the same time, in view of the attitude adopted by the White Star Line, we have to say that we shall not feel in any way bound to make similar alterations in future."

I am sorry to say that I mistook the letter referred to by the Allan Line, which reads:

"We have your letter of 20th inst., enclosing copy of letter from the Holland-America Line with regard to the advertisements of our Line in some Dutch newspapers.

11882

"We were not aware of the wording of these advertisements, and would be quite willing to take steps to have any objectionable words removed. Before doing so, however, we wish to know whether all Lines agree that the use of superlatives in advertisements is excluded by the terms of Article 16 of Agreement 'A. A.' For our own part we are quite willing to agree to this interpretation of Article 16, but we think it is obvious that if this interpretation is to be binding on any Line, it must be accepted by all Lines. At present this does not seem to be the case, and we beg to call your attention to the enclosed circular of the White Star-Dominion Canadian service which is only one instance of the frequent use by Lines parties to Agreement 'A. A.' of superlatives, which necessarily imply comparison unfavorable to competing Lines in Conference."

11883

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept
Recd. 13 May, 1909. Ansd.

11884

Petitioner's Exhibit 1247.*G. No. 441.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 11th, 1909.

To the Parties:

North West Transport Line. (G. No. 436.)

The Red Star Line advise the following arrivals of
 passengers for the North West Transport Line:

11885 5th May from Universal Reisebureau 47 1/2 passengers.

6th May from Universal Reisebureau 30 passengers.

7th May from Universal Reisebureau 6 passengers.

8th May from Universal Reisebureau 45 5/2 passengers.

Total 128 6/2 passengers.

Of the passengers for the "Vulturno" May 1st
 were:

	for Halifax	for U. S. A.	Total
Russians	63	102	165
Hungarians	8	6	14
Italians	121	27	148
Bulgarians	—	2	2
11886 British	15	17	32
Austrians	2	23	25
Servians	1	—	1
	<hr/>	<hr/>	<hr/>
	210	177	387
	<hr/>	<hr/>	<hr/>

Of the 32 passengers from England 3 came from
 London and 29 from Liverpool.

The next steamer of the N. W. T. L. the "Uranium"
 is advertised to leave Rotterdam on 15th instant.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 13 May, 1909. Ansd.

Petitioner's Exhibit 1248.

11887

G. No. 442.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 11th, 1909.

To the Parties:

II Cabin rates.

11888

In reply to G. No. 430 the White Star Dominion
Canadian service write:

"Referring to your circular letter of April
29th (G. No. 430) we beg to say that the rates
from Paris referred to are based on the Agree-
ment minimums as per agreement "W" plus
20/. from the Continental port to Liverpool
(Dieppe in this case) and plus the cost of
transportation Paris to the Continental port."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept. 11889
Recd. 13 May, 1909. Ansd.

11890

Petitioner's Exhibit 1249.*G. No. 413.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 11th, 1909.

To the Parties:

11891

Referring to the monthly statements and the summary statement for April I beg to request the parties to make the following payments:

Anchor Line	.....to	Allan Line	.....£	24.
"	"	American Line	....."	2853.
"	"	Dominion Line	....."	408.
"	"	Canadian Pac. Ry. Co.	....."	236.
White Star Line	.....	Continental Lines	....."	4722.
"	"	Allan Line	....."	209.
Cunard Line	.....	Continental Lines	....."	15502.
Donaldson Line	.....	Allan Line	....."	156.

The Cunard Line and White Star Line will kindly send their checks for the Continental Lines to me.

11892

Respectfully,

H. PETERS, Sup.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 13 May, 1909. Ansd.

Defendants' Exhibit 104.

11893

G. No. 444.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 12th, 1909.

To the Parties:

Payments to the Russian East Asiatic S. S. Co.

11894

According to Form 35, No. 4 the following payments have to be made to the Russian East Asiatic S. S. Co. for the month of April:

N. D. L. V. Lines	£ 1636.
Allan Line	" 50.
Anchor Line	" 101.
American Line	" 205.
Dominion Line	" 102.
White Star Line	" 296.
Cunard Line	" 400.
Canadian Pacific Ry. Co.	" 34.
	<hr/>
	£ 2824.
	<hr/>

11895

The parties will please inform me when they have made the remittances.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 14/5—1909 Ackn'd 1909 Answered
 1909.

11896

Petitioner's Exhibit 1250.*G. No. 445.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 12th, 1909.

To the Parties:

11897 *Arbitration under Minute 107. (G. No. 437.)*

The Norddeutscher Lloyd write:

11898

"Referring to circular letter G. No. 437 the Arbitrator in our opinion has to decide whether the reductions asked for by the Cunard Line and White Star Line are to be granted in spite of the objections raised by the Cie. Gle. Transatlantique and the Allan Line, but that a reduction of the rates of the latter two Lines is not to be considered. Clause 107 certainly does not warrant such action which would undoubtedly lead to opening the question of cabin rates in general."

I send Mr. Wilding a copy of this letter.

Respectfully,

Petitioner's Exhibit 1332.

11899

G. No. 446.

ATLANTIC CONFERENCE.

Secretary's Office,
 Telegraph Address:
 "Secretair," Jena.

Jena, May 12th, 1909.

To the Parties:

The N. D. Lloyd inform me that according to information he has got of late the North West Transport Line interest themselves for business from the Balkan peninsular; they are working it through the medium of the agency of Charles Staehli, Basle and are quoting the following gross rates:

11900

Basle—Halifax Frcs 155.

Basle—Newyork (including headtax) " 175.

The railroad fare Belgrad—Basle is 28 Francs.

Respectfully,

H. PETERS, Sup.

(Stamped): North Atlantic Passenger Conference.

Received 14/5 1909 Ackn'd. Answered 1909.

11901

11902

Petitioner's Exhibit 1333.*G. No. 447.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 13th, 1909.

To the Parties:

11903

North West Transport Line. (G. 441.)

The Holland American Line write that the S. S. "Uranium" which left New York on April 24th with 100 steeragers arrived before Hoek of Holland on the 7th inst. at night; after debarkation of her passengers on the morning of the 8th inst. in a tug, she proceeded directly for Hamburg. The passengers were brought by the tug to the Rotterdam station whence they proceeded the same morning.

The "Raglan Castle" which left New York on the 12th instead of the 8th inst., has got 3 cabin passengers and 127 steeragers.

11904 With reference to G. No. 433 I am today unofficially informed that C. B. Richard & Co. so far General-agents of the N. W. T. L. in Newyork have resigned and that the agency has been transferred to Mr. Vesily formerly manager of Zotti.

The next departures of the N. W. T. L. from Rotterdam are advertised as follows:

S. S. Uranium	May 15th
S. S. Raglan Castle	" 29th
S. S. Volturmo	June 12th
S. S. Uranium	" 26th

Petitioner's Exhibit 1252

11905

I am still without reply as to Corecco & Brivio (G. No. 433) who as shown by the reports promulgated are working for the N. W. T. L. Will the B. L. please inform me whether they are willing to join in an eventual disqualification.

Respectfully,

(Stamped): North Atlantic Passenger Conference
Received 15/5 1909 Ackn'd 1909 An-
swered 1909

11906

Petitioner's Exhibit 1252.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 13th, 1909.

To Hamburg American Line
Holland-America Line
Norddeutscher Lloyd
Red Star Line
Cie. Gle. Transatlantique
Cunard Line
White Star Line
Anchor Line

11907

Enclosed I beg to hand * * * printed copies of the Agreement of May 7th 1909 between the Cunard Line and the Continental Lines.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 15 May, 1909 Ansd.

11908

Petitioner's Exhibit 1253.

G. No. 448.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, May 13th. 1909.

To the Parties :

North West Transport Line.

11909

In reply to G. No. 433, the Russian American Line inform me that they will hardly be able to arrange their eastbound sailings so as to meet the steamers of the N. W. T. L. as in order to stick to the itinerary on this side their steamers had to leave New York on Wednesday.

Respectfully,

(Stamped) : Ismay, Imrie & Co. Passenger Dept.
Recd. 15 May, 1909 Ansd.

11910

Petitioner's Exhibit 1254.

11911

G. No. 449.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, May 15th, 1909.

To the Parties :

Byelaw 21.

11912

The White Star Line request me to put on the Agenda of the next A. C. Meeting the question of amending Byelaw 21. They say that under this Byelaw the Minutes of all the meetings have to be considered as forming part of the contracts unless the contrary is expressly stated and that they would like it amended to read that the records of the meeting are merely to be taken as minutes and that they are not to be considered as alterations to the main agreement unless expressly so stated.

I note the matter for the Agenda.

Respectfully,

11913

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 17 May 1909 Ansd.

11914

Petitioner's Exhibit 1255.*G. No. 450.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 15th, 1909.

To the Parties:

Agent Büchel in Buchs (Switzerland).

The Cie. Gle. Transatlantique write:

11915

"Inclus nous vous remettons des circulaires et divers papiers trouvés sur un passager expédié par l'agence Buchel, de Buchs, dont nous avons parlé à la dernière conférence.

"Vous verrez que Buchel se sert toujours de fiches tricolores; il est vrai qu'elles re présentent les couleurs francaises à l'envers et qu'il peut prétendre qu'il ne vise pas du tout une concurrence contre nous. Mais les compagnies admettront, nous le pensons du moins, que cette facon de procéder est absolument contraire à toutes les règles qui nous régissent.

11916

"De plus, parmi ces papiers se trouve une circulaire attaquant avec violence les agents Klaus, Zwilchenbart et Im Obersteg. Les deux premiers sont nos agents et le dernier représente plus particulièrement l'American Line et la White Star.

"Nous demandons de nouveau la disqualification de H. Buchel, et nous insistons pour qu'elle soit prononcée non seulement par les lignes continentales, mais également par les lignes anglaises."

A translation of the circular referred to is attached, besides Transat sent two cards in French colours with

Petitioner's Exhibit 1256

11917

the address of Ivan Buchel, Buks, Switzerland, one of them advising the Route Buks-Paris-Havre and Southampton Cherbourg to America.

Will the Lines please inform me, whether they agree to disqualify the agent Ivan Buchel at Buchs.

Respectfully,

Petitioner's Exhibit 1256.

Appendix to G. No. 450—15/5/09.

For the information of

11918

the Croation travellers

who want to go to America.

The Agent and banker Frank Zotti of Newyork defrauded 2 Million Kronen bloodily earned money of Croation labourers.

Zotti now opens at Buchs, Switzerland three Agencies, one under the name of "Victor Klaus," as manager, a second one under the name of "Zwilchenbart" and the third under the name of "Im Obersteg & Co."

Travelers Croations!

Beware of Zotti's Agency under the name of "Victor Klaus," under the name of "Zwilchenbart" and under the name of "Im Obersteg & Co." at Buchs, for all three of them are from Zotti. These blood suckers would yet like to rob the Croation travellers, for it is yet too little for them to have defrauded 2 Millions Kronen. If you are friends to yourselves fly from these bankrupts who especially pillage the Croation people.

11919

Some friends to the Croation travellers abroad and in foreign countries.

11920

Petitioner's Exhibit 1257.*G. No. 450.*

Jena, May 15th, 1909.

Agent Büchel in Buchs (Switzerland).

The French Line write:

"We herewith enclose some circulars and papers taken from a passenger forwarded by agent Buchel at Buchs to whom we referred at the last Conference.

11921

"You notice that Buchel always uses tricoloured cards, it is true, they represent the French colours inside out, and he may pretend that he does not aim at all at competing with us. But the Companies will admit—we think so at least—that this mode of procedure is absolutely contrary to all rules and regulations that govern us.

"Moreover, there is a circular amongst those papers which violently attacks agents Klaus, Zwilchenbart and Imobersteg. The two first referred to are our agents and the latter particularly represents the American Line and White Star Line.

11922

"We request again the disqualification of Mr. Buchel, and insist upon announcing same not only for the Continental, but also for the British Lines."

A transaction of the circular referred to is attached, besides Transat sent two cards in the French colours with the address of Ivan Buchel, Buchs, Switzerland, one of them advising the route Buchs-Paris-Havre and Southampton Cherbourg to America.

Will the Lines please inform me, whether they agree to disqualify the agent Ivan Buchel at Buchs.

Yours truly,

Petitioner's Exhibit 1258.

11923

G. No. 451.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 15th, 1909.

To the Parties:

Superlatives (G. 440).

The Allan Line write:

"Referring to your circular G. No. 440 and previous circulars on the same subject, we now beg to advise you that we have made some enquiry as to the Dutch advertisement which has given the Holland-America Lines so much anxiety.

11924

"We regret very much that our familiarity with the Dutch language is too slight to enable us to read this advertisement for ourselves, but we are informed that it is an advertisement issued by Messrs. Ruys & Co., who have represented us as freight agents in Rotterdam for many years, but who do not take anything to do with the passenger business, and that the advertisement is concerned with freight business and that only. We presume that the Holland-America Line had no difficulty in reading the advertisement, and therefore must have been aware of this from the first, and we suggest that it is highly improper for any Line to import into the Atlantic Conference matters which have nothing whatever to do with passenger business."

11925

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 17 May, 1909 Ansd.

Defendants' Exhibit 105.

11926

G. No. 452.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 17th, 1909.

To the Parties:

North West Transport Line. (G. 448.)

I informed the parties that the "Uranium" left Rotterdam on Saturday night 15th inst. with 436 steer-agers.

11927

The arrivals for the Atlantic Express were on

May	9th	from Universal-Reisebureau	20	passengers
"	11th	" " "	79	"
"	10th	from Zürcher	1	"
"	13th	from Universal-Reisebureau	80	"
"	14th	" " "	35	"
"	14th	from Zürcher	28	"

 243

11928

Together with the 134 passengers reported in G. No. 441 the total of passengers traced is 377. The 79 passengers of May 11th had cards of Charles Staehli at Basle, who as the Red Star Line say also works for the Donaldson Line through the medium of Mr. Schyns. Perhaps the Donaldson Line is in the position to bear some influence on their agents as not to advance the interests of any one in connection with the N. T. W. L.

I beg to confirm my Saturday's telegram according to which the "Estonia" of the Russian Eastasiatic will sail in competition against the "Voluturno" on the 22nd inst. from Newyork. Besides the Russian Eastasiatic inform me, that they reduced their east-bound rates by \$3.

Respectfully,

H. PETERS.

p. Rep.

Petitioner's Exhibit 1259.

11929

G. No. 453.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 19th, 1909.

To the Parties:

Superlatives. (G. No. 451.)

In reply to G. No. 435 the Hamburg-American Line
 write:

11930

"With reference to circular No. 435 we beg to state that in our opinion the use of superlatives in advertisements and propaganda-literature ought to be generally abstained from. Superlative references can be made to every object and every steamer of each Line probably has a special character, that could be expressed by a superlative adjective; one could eventually even speak of the largest steamer of a certain country or of the largest company of a country. We cannot, however, see any material value in such way of expressing and we feel no inclination to believe, that by publishing superlatives such as 'the largest and best ships' the number of passengers carried by the publishing line would be increased by a single passenger. Most of the parties are of our opinion in this question and we would be pleased to see the others join our opinion, so that the use of superlatives could be altogether done away with.

11931

"The Cunard Line just now distributes in Switzerland a poster, speaking of 'the largest, finest and fastest ships in the world.' A photo

11932

Petitioner's Exhibit 1260

hereof we herewith enclose, which will no doubt interest the parties."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 21 May, 1909 Ansd.

Petitioner's Exhibit 1260.

11938

G. No. 454.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 19th, 1909.

To the Parties:

Arbitration under Minute 107. (G. No. 445.)

11984

I received several communications giving the same opinion as expressed by the Nordd. Lloyd in G. No. 445, viz: that the arbitration can solely refer to the question whether the reduction of 10 sh. asked for by the Cunard and White Star Lines is to be granted or not. It therefore results that if the question of a reduction is to be admitted to any of the other Lines outside the Cunard and White Star, this privilege must apply to all lines equally.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 21 May, 1909 Ansd.

Petitioner's Exhibit 1261.

11935

G. No. 455.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 21st, 1909.

To the Parties:

Of the passengers S. S. "Uranium" from Rotterdam May 15th were:

11936

	for Canada	for U. S.	Total
Italians	31	4	35
Russians	17	306	323
British	39	2	41
Hungarians	—	23	23
Belgians	—	1	1
Austrians	—	10	10
Germans	—	2	2
Swiss	—	1	1
	<hr/>	<hr/>	<hr/>
	87	349	436
	<hr/>	<hr/>	<hr/>

11937

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept
 Recd. 24 May, 1909 Ansd.

11938

Petitioner's Exhibit 1351.*G. No. 456.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 24th, 1909.

To the Parties:

Superlatives. (G. 453.)

The Cie. Gle. Transatlantique write:

11939

"Au sujet des superlatifs, nous vous remettons sous ce pli une circulaire de la Canadian Pacific dans laquelle nous lisons: 'Les nouveaux vapeurs "Empress" dépassent toute perfection obtenue jusqu'ici dans la ligne du Canada.' Et, en regard: 'Le voyageur ne peut se lasser d'admirer l'installation magnifique et somptueuse des cabines et des salons.'"

Respectfully,

Petitioner's Exhibit 1352.

11940

The Cie. Generale Transatlantique write:

"As regards use of superlatives we enclose circular of the C. P. R. in which we read,

"The new "Empress" steamers surpass every perfection attained hitherto on the Canadian services (Lines) and the traveller cannot get tired admiring the magnificence and sumptuous decorations of the staterooms and saloon.'"

Defendants' Exhibit 105a.

11941

G. No. 457.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 25th, 1909.

To the Parties:

II. cabin statistics. (G. No. 431.)

11942

The Cunard Line and the Austro Americana have been good enough to furnish me with particulars of second class passengers forwarded by them on their Mediterranean services between Adriatic and United States ports since the inaguration of said lines. It has therefore become necessary to issue another set of II. class statistics including said services, which I herewith beg to hand.

Respectfully,

11943

Defendants' Exhibit 105a

Statistic
of westbound II. class and intermediate passengers
(souls).

11944

11945

11946

Lines		1899.		1900.		1901.		1902.	
		Souls	%	Souls	%	Souls	%	Souls	%
Hapag	fast	3216	5.05	6988	8.20	4870	5.98	3607	3.81
"	ordin.	4559	7.16	5690	6.67	5618	6.90	8184	8.64
Nasm		2858	4.49	3762	4.41	3310	4.07	3962	4.18
Lloyd	fast	4744	7.45	6823	8.00	5455	6.70	7149	7.54
"	ordin.	3437	5.40	4548	5.34	4977	6.12	6491	6.85
"	Balto	895	1.41	870	1.02	843	1.04	1278	1.35
"	Galveston	135	0.21	78	0.09	171	0.21	268	0.28
Red Star	New York	3422	5.38	4300	5.04	4462	5.48	4850	5.12
"	" Boston-Phila.	—	—	—	—	—	—	1	0.00
Transat	New York	3165	4.97	5186	6.08	4091	5.03	4787	5.05
"	Bordeaux	—	—	—	—	—	—	—	—
Allan	Canada	3107	4.88	4332	5.08	5706	7.01	8067	8.51
"	Boston	223	0.35	395	0.46	296	0.36	142	0.15
"	State	1211	1.90	1691	1.98	1778	2.19	2086	2.20
"	London-Havre	—	—	—	—	—	—	—	—
Anchor Line		4573	7.19	5394	6.33	5406	6.64	6093	6.43
Cunard	Liverpool	9160	14.39	10798	12.66	9394	11.54	9070	9.57
"	Boston	767	1.21	1135	1.33	2061	2.53	2555	2.70
American L.	S'hpt.	5989	9.41	7447	8.73	6030	7.41	7095	7.49
"	" L'pl.	2714	4.26	3016	3.54	3280	4.03	3961	4.18
Dominion Line		2143	3.37	2426	2.85	895	1.10	547	0.58
White Star L.	L'pl.	4200	6.60	5810	6.81	6865	8.44	7385	7.79
"	" " S'hpt.	—	—	—	—	—	—	—	—
Domin. White St.	Bost.	1923	3.02	2494	2.93	3237	3.98	3448	3.64
Canadian Pac.	L'pl.	698	1.10	1389	1.63	1976	2.43	2623	2.77
"	" Antwerp	—	—	—	—	—	—	—	—
Donaldson Line		—	—	—	—	—	—	—	—
Scandinav. Americ. L.		509	0.80	700	0.82	660	0.81	1113	1.17
Russ. Eastasiatic		—	—	—	—	—	—	—	—
Cunard L.	Trieste and Fiume	—	—	—	—	—	—	—	—
Austro-Americ.	Trieste	—	—	—	—	—	—	—	—
		63648	100.00	85272	100.00	81381	100.00	94762	100.00

Defendants' Exhibit 105a

11947

Westbound

Lines	1903.		1904.		1905.	
	Souls	%	Souls	%	Souls	%
Hapag fast	6948	5.49	2500	2.03	1935	1.40
" ordin.	7083	5.60	11490	9.34	10137	7.35
Nasm	5437	4.30	5141	4.18	6657	4.82
Lloyd fast	9568	7.57	9218	7.49	10093	7.31
" ordin.	8869	7.01	9150	7.44	11842	8.58
" Balto	2559	2.02	1814	1.48	2481	1.80
" Galveston	327	0.26	395	0.32	533	0.39
Red Star New York	6375	5.04	6511	5.29	7560	5.48
" Boston-Phila.	—	—	—	—	543	0.39
Transat New York	7351	5.81	6914	5.62	6870	4.98
" Bordeaux	—	—	—	—	—	—
Allan Canada	14030	11.10	14413	11.72	16149	11.70
" Boston	273	0.22	235	0.19	433	0.31
" State	1635	1.29	1296	1.05	1389	1.01
" London-Havre	—	—	—	—	1340	0.97
Anchor Line	6823	5.40	6065	4.93	8768	6.35
Cunard Liverpool	11863	9.38	12197	9.92	10928	7.92
" Boston	3606	2.85	3564	2.90	3938	2.85
American Line S'hpt.	6084	4.81	4727	3.84	6731	4.88
" " L'pl.	3777	2.99	3459	2.81	4094	2.97
Dominion Line	4048	3.20	6614	5.38	6221	4.51
White Star Line L'pl.	10060	7.96	10846	8.82	11243	8.15
" " " S'hpt.	—	—	—	—	—	—
Domin. White Star Boston	4337)	—	—	—	—	—
	96)	3.51	2146	1.75	2382	1.73
Canadian Pac. L'pl.	3309	2.62	2299	1.87	2423	1.75
" " Antwerp	—	—	64	0.05	204	0.15
Donaldson Line	—	—	—	—	429	0.31
Scandin. American L.	1981	1.57	1550	1.26	1901	1.38
Russ. Eastasiatic	—	—	—	—	—	—
Cunard L. Trieste & Fiume	—	—	389	0.32	682	0.49
Austro-Americana Trieste	—	—	—	—	93	0.07
	126439	100.00	122997	100.00	137999	100.00

11948

11949

Defendants' Exhibit 105a

11950

Westbound

11951

11952

Lines	1906.		1907.		1908.	
	Souls	%	Souls	%	Souls	%
Hapag fast	1318	0.75	2045	0.97	1243	0.80
" ordin.	14700	8.36	15707	7.46	12790	8.25
Nasm	10215	5.81	11204	5.32	7030	4.53
Lloyd fast	10435	5.93	11620	5.52	8824	5.69
" ordin.	13557	7.71	15129	7.19	9804	6.32
" Balto	3431	1.95	3789	1.80	1582	1.02
" Galveston	767	0.44	987	0.47	576	0.37
Red Star L. New York	9551	5.43	8438	4.01	6513	4.20
" " Boston-Phila.	793	0.45	983	0.47	843	0.54
Transat New York	9015	5.12	10993	5.22	8108	5.23
" Bordeaux	—	—	—	—	46	0.03
Allan Canada	19478	11.07	23592	11.20	15631	10.08
" Boston	2120	1.21	2645	1.26	1482	0.96
" State	—	—	—	—	—	—
" London-Havre	1432	0.81	2701	1.28	1337	0.86
Anchor Line	12406	7.05	14293	6.79	9249	5.96
Cunard L. L'pl.	13899	7.90	17620	8.37	17650	11.38
" " Boston	4458	2.53	5330	2.53	4870	3.14
American L. S'hpt.	8329	4.73	8261	3.92	5527	3.56
" " L'pl.	4078	2.32	5060	2.40	3493	2.25
Dominion Line	7409	4.21	9692	4.60	4511	2.91
White Star L. L'pl.	12947	7.36	12238	5.81	9074	5.85
" " " S'hpt.	—	—	6604	3.14	6819	4.40
" " " Boston	2630	1.49	2082	0.99	1386	0.89
Canadian Pac. L'pl.	6744	3.83	11423	5.43	10684	6.89
" " Antwerp	314	0.18	177	0.08	116	0.08
Donaldson Line	1361	0.77	2568	1.22	1670	1.08
Scandin. American L.	2694	1.53	3134	1.49	2757	1.78
Russ. Eastasiatic	233	0.13	286	0.14	323	0.21
Cunard L. Trieste & Fiume	1346	0.77	1630	0.77	806	0.52
Austro Americana Trieste	276	0.16	318	0.15	337	0.22
	175936	100.00	210549	100.00	155081	100.00

Defendants' Exhibit 105a

11953

Statistic
of eastbound II. class and Intermediate passengers
(souls).

Lines	1899.		1900.		1901.		1902.	
	Souls	%	Souls	%	Souls	%	Souls	%
Hapag fast	2151	4.43	5068	7.91	3746	6.96	2561	4.41
" ordin.	3921	8.07	5070	7.91	4578	8.50	5224	9.00
Nasm	2665	5.48	3525	5.50	2494	4.63	2604	4.49
Lloyd fast	4672	9.61	4846	7.57	3512	6.52	4138	7.13
" ordin.	2406	4.95	2921	4.56	2965	5.51	3475	5.99
" Balto	675	1.39	855	1.33	722	1.34	1034	1.78
" Galveston	114	0.23	155	0.24	167	0.31	88	0.15
Red Star New York	2839	5.84	3618	5.65	3332	6.19	3269	5.63
" " Boston-Phila.	—	—	—	—	—	—	—	—
Transat New York	2331	4.80	3914	6.11	2586	4.80	3278	5.65
" Bordeaux	—	—	—	—	—	—	—	—
Allan Line L'pl.	1287	2.65	2353	3.67	2709	5.03	3115	5.37
" " Boston	651	1.34	922	1.44	994	1.85	800	1.38
" " London-Havre	—	—	—	—	—	—	—	—
Anchor Line	2644	5.44	4066	6.35	3439	6.39	3500	6.03
Cunard Line L'pl.	7388	15.20	7296	11.39	6554	12.17	6195	10.68
" " Boston	606	1.25	1124	1.75	1368	2.54	1604	2.77
American Line S'pt.	4234	8.71	5296	8.27	3146	5.84	4376	7.54
" " Phila.	2667	5.49	2431	3.80	2494	4.63	2778	4.79
Dominion Line	1417	2.91	2694	4.21	492	0.91	215	0.37
White Star L. L'pl.	3396	6.99	4548	7.10	4898	9.10	5737	9.88
" " " S'hpt.	—	—	—	—	—	—	—	—
" " " Boston	1573	3.24	1522	2.38	2042	3.79	2020	3.48
Canadian Pac. L'pl.	392	0.81	1259	1.97	1085	2.02	1267	2.18
" " Antwerp	—	—	—	—	—	—	—	—
Donaldson Line	—	—	—	—	—	—	—	—
Scandin. American L.	568	1.17	573	0.89	521	0.97	752	1.30
Russ. Eastasiatic	—	—	—	—	—	—	—	—
Cunard L. Trieste & Fiume	—	—	—	—	—	—	—	—
Austro-Americana Trieste	—	—	—	—	—	—	—	—
	48597	100.00	64056	100.00	53844	100.00	58030	100.00

11954

11955

Defendants' Exhibit 105a

11956

Eastbound.

Lines	1903.		1904.		1905.	
	Souls	%	Souls	%	Souls	%
Hapag fast	4115	6.28	1352	1.96	1590	2.14
" ordin.	3858	5.88	7645	11.10	6634	8.94
Nasm	2734	4.17	2759	4.01	3355	4.52
Lloyd fast	5110	7.80	5140	7.47	5903	7.96
" ordin.	4518	6.89	4534	6.59	5461	7.36
" Balto	1409	2.15	1106	1.61	1531	2.06
" Galveston	190	0.29	247	0.36	342	0.46
Red Star New York	3859	5.89	4098	5.95	4591	6.19
" " Boston-Phila.	2	0.00	—	—	20	0.03
Transat New York	4115	6.28	4112	5.97	4074	5.49
11957 " Bordeaux	—	—	—	—	—	—
Allan Line L'pl.	3808	5.81	3803	5.52	4957	6.68
" " Boston	535	0.82	478	0.69	489	0.66
" " London-Havre	—	—	—	—	304	0.41
Anchor Line	3618	5.52	3238	4.70	4027	5.43
Cunard Liverpool	7963	12.15	8907	12.94	7356	9.92
" Boston	1736	2.65	2275	3.30	2228	3.00
American L. S'hpt.	3152	4.81	2807	4.08	3912	5.27
" " Phila.	2656	4.05	2443	3.55	3061	4.13
Dominion Line	548	0.84	2030	2.95	2127	2.87
White Star L. L'pl.	7506	11.45	8643	12.55	8053	10.86
" " S'hpt.	—	—	—	—	—	—
" " Boston	1849	2.88	—	—	—	—
	41	—	1053	1.53	1258	1.70
Canadian Pac. Liverpool	1207	1.84	1000	1.45	1283	1.73
" " Antwerp	—	—	—	—	145	0.20
11958 Donaldson Line	—	—	—	—	13	0.02
Scandinavian American L.	1018	1.55	1130	1.64	1368	1.84
Cunard L. Trieste Fiume	—	—	52	0.08	82	0.11
Austro-Americana Trieste	—	—	—	—	16	0.02
	65547	100.00	68852	100.00	74180	100.00

Defendants' Exhibit 105a

11959

Eastbound.

Lines	1906.		1907.		1908.	
	Souls	%	Souls	%	Souls	%
Hapag fast	1227	1.43	1622	1.59	1115	1.12
" ordin.	8972	10.49	10333	10.14	10407	10.41
Nasm	3962	4.63	4802	4.71	4375	4.38
Lloyd fast	6649	7.77	7339	7.20	6748	6.75
" ordin.	5102	5.96	6041	5.93	4988	4.99
" Balto	1747	2.04	1591	1.56	1847	1.85
" Galveston	562	0.66	665	0.65	352	0.35
Red Star Line New York	4541	5.31	5126	5.03	4788	4.79
" " Boston-Phila.	801	0.94	847	0.83	882	0.88
Transat New York	5437	6.36	6093	5.98	5630	5.63
" Bordeaux	—	—	—	—	64	0.06
Allan L. Liverpool	4672	5.46	5674	5.57	5666	5.67
" Boston	611	0.71	874	0.86	754	0.75
" " London-Havre	333	0.39	623	0.61	787	0.79
Anchor Line	5071	5.93	5721	5.62	5042	5.04
Cunard L. Liverpool	9028	10.55	11403	11.19	13690	13.69
" " Boston	2440	2.85	2811	2.76	2806	2.81
American L. S'hpt	3667	4.29	3951	3.88	3425	3.43
" " Phila.	2643	3.09	3103	3.05	2937	2.94
Dominion Line	2074	2.42	2514	2.47	2507	2.51
White Star L. L'pl.	8265	9.66	6798	6.67	6693	6.70
" " S'hpt.	—	—	3524	3.46	4448	4.45
" " Boston	1235	1.44	1151	1.13	743	0.74
Canadian Pac. L'pl.	3888	4.54	6112	6.00	5908	5.91
" Pac. Antwerp	111	0.13	100	0.10	110	0.11
Donaldson Line	358	0.42	509	0.50	514	0.51
Scandinav. Americ. Line	1929	2.26	2077	2.04	1807	1.81
Russ. Eastasiatic	—	—	73	0.07	254	0.25
Cunard L. Trieste Fiume	194	0.23	291	0.29	324	0.32
Austro-Americana Trieste	38	0.04	111	0.11	355	0.36
	85557	100.00	101879	100.00	99966	100.00

11960

11961

11962

Petitioner's Exhibit 1353.*G. No. 458.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, May 26th, 1909.

To the Parties :

North West Transport Line.

11963

Cable is received saying that "Estonia" left New York May 24th with 344 and "Voluturno" May 25th with 71 steeragers.

The regular rate of the "Estonia" being \$28 and the opposition rate having been established at \$26, Rus-amerika is entitled to a compensation of \$2 per adult.

Respectfully,

(Stamped) : Ismay, Imrie & Co. Passenger Dept.
 Recd. 28 May, 1909 Ansd.

11964

Petitioner's Exhibit 1354.

11965

G. No. 459.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 26th, 1909.

To the Parties:

North West Transport Line. (G. No. 452.)

11966

The Red Star Line advises the following passengers
 for the North West Transport Line:

May 18th from the Universal-Reise-

bureau

14 passengers

" 19th from the Universal-Reise-

bureau

40 "

" 20th from the Universal-Reise-

bureau

40 "

" 22nd from the Universal-Reise-

bureau

21 "

 115 passengers

11967

The next departure is by the "Raglan Castle" on
 29th instant.

Respectfully,

11968

Defendants' Exhibit 106.*G. No. 460.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 27th, 1909.

To the Parties:

Arbitration under Minute 107.

11969

Mr. Wilding informs me that he is going to mail his award in the question of rates for "Mauretania," "Lusitania" etc. on 8th of June; any further communications the parties wish to make on this subject therefore should reach me at latest on June 5th.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 29 May, 1909 Ansd.

11970

Petitioner's Exhibit 1355.

11971

G. No. 461.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 27th, 1909.

To the Parties:

North West Transport Line. (G. 459.)

The Holland America Line have received from their
 Newyork Office the following "*confidential*" letter
 dated May 14th:

11972

"We have received information that Messrs.
 C. B. Richard & Co. have withdrawn from
 the passenger agency of the N. W. T. L. and
 that a certain F. Vessily & Co. are their suc-
 cessors. It looks rather suspicious that a
 former employee of Richards, subsequently of
 Zotti, should have become the general agent
 for the N. W. T. L., the more so as their of-
 fice has been opened in Greenwich street, this
 city, the rent of same to be paid by C. B.
 Richard & Co., and also provided with the
 necessary furniture by them.

11973

"In addition, another employee of Richards
 has become the assistant of Mr. Vessily.

"We presume that Richard simply uses Ves-
 sily as a blank, in case this Line should again
 be compelled to discontinue its service, that
 he (Richards) cannot be held for possible out-
 standing prepaids."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 29 May, 1909 Ansd.

11974

Petitioner's Exhibit 1356.*G. No. 462.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 27th, 1909.

To the Parties:

11975

North West Transport Line (G. No. 459).

The Nordd. Lloyd inform me that the North West
 Transport Line have reduced their rates in Galicia.
 They are now quoting:

Kr. 100 net inclusive of board and lodging in the
 harbour for passengers to Canada.

Kr. 125 net inclusive of board and lodging and
 American head-tax for passengers to Newyork.

Respectfully,

11976

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 29 May, 1909 Ansd.

Petitioner's Exhibit 1334.

11977

G. No. 463.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 28th, 1909.

To the Parties:

*Minute 114, Commission to N. W. T. L. by Can.
Railways.*

11978

The White Star Line send me copy of correspondence on the question of commission to the North West Transport Line on passengers delivered to Canadian Railways as per annex.

Respectfully,

H. PETERS.

(Stamped): Received 31 May 1909. Ansd.

11979

11980

Petitioner's Exhibit 1335.*Annex to G. No. 468. 28/5, 1909.*

From I. I. & Co., L'pool to Mr. F. C. Salter,
dated March 29th, 1909. Grand Trunk Railway.

Referring to your letter to me of the 13th instant, which we brought up at the recent Conference meeting, the following is an extract from the Minutes,—No. 11.

11981

"Letter from Grand Trunk Railway submitted, the C. P. R. representative advises they only allowed commission to the North West Transport Line on inland business, because they had been unable to induce the Grand Trunk Railway to agree not to do so, and after they had found that the inter-Colonial Grand Trunk connection at Halifax were paying commission. Mr. Sanderson was requested to approach the Grand Trunk Railway with a view to facilitating an agreement between the two Canadian railways (including Inter-Colonial Railway) to allow no commission to the North West Transport Line."

11982

Perhaps if you are in Liverpool you will look in some time when you are passing and give us an opportunity of clearing up the position.

From Mr. Cuthbertson, Grand Trunk to I. I. & Co.
Railway.

dated L'pool 30/3, 1909.

Your letter of the 29th instant addressed to Mr. Salter regarding Canadian Pacific rail business or steamers of the North West Transport Co. is duly received.

Mr. Salter is at present on the Continent, but I am forwarding your letter on to him.

From Mr. Salter, Grand Trunk Ry. to I. I. & Co.
dated Nice, April 9th 1909.

North West Transport Coy.

In reply to your letter of 29th March regarding Canadian Pacific Railway report, as to their action towards the North West Transport Coy.

I wish to state that neither the Grand Trunk Rly. nor the Intercolonial Rly. have in any way approached the North West Transport Coy directly or indirectly to influence their traffic to our respective Lines, or by offering commission in any shape or manner whatsoever. I make this statement regardless of any remarks made to the contrary by the Canadian Pacific Rly.

11984

Further, the Canadian Pacific Rly. have in no manner whatsoever, approached me to find out the accuracy of their charge before taking the step they have, and I can only assume they have again acted this year, as last, in handling the traffic of the New York and Continental Lines.

I speak with full knowledge and responsibility for the European organization of this Coy.

Should the Intercolonial Rly. have made an arrangement with the North West Transport Coy., such an arrangement would have applied by both Canadian Pacific Rly., and the Grand Trunk and would have been unnecessary for the Canadian Pacific Rly. to duplicate, further had the Intercolonial Rly. such an arrangement, I know at least half of the traffic would have gone by the Grand Trunk, but as there was no such arrangement, the entire traffic went Canadian Pacific Rly.

11985

The Intercolonial Rly. is the only Line reaching Halifax.

11986

Petitioner's Exhibit 1335

I have sent your letter to our Montreal management and await their further instructions.

I am sorry my previous letter was not supported.

From I. I. & Co. to Mr. Salter, Grand Trunk R'way,
dated April 14th, 1909.

North West Transport Co.

11987

I am in receipt of your favor of 9th instant with regard to the question of paying commission on Rail Fares for bookings to the above named Company, and may say that we did not understand that the arrangement complained of was made through your office here, and under the circumstances we await further word from you, after you have heard from Montreal, with much interest.

From Mr. Salter, Grand Trunk Ry. to I. I. & Co.,
dated May 3rd, 1909.

11988

In reply to your letter of 1st instant, as I am so crowded in this office I think we can better discuss the subject of the North West Transport Company by my calling at your office; therefore, if it suits you, I would call upon you at three o'clock tomorrow, Tuesday, afternoon.

I have this day cabled Montreal to sustain the facts I have given you, and to instruct further in their policy.

I feel with this information in hand same will fully sustain our position in our endeavor to co-operate with you.

Petitioner's Exhibit 1335

11989

From Mr. Salter, Grand Trunk Ry. to I. I. & Co.,
dated L'pool, May 3rd, 1909.

For your information I wish to state our people advise the S. S. "Voturno" from Rotterdam 13th March discharged at Halifax the following people:

Chicago	19	
Toronto	15	
Ontario, competitive	35	
Ontario C. P. R.	20	
Montreal	30	
Cleveland	1	11990
Detroit	4	
West of Chicago	21	
Canadian North West	15	
Maritime Provinces	10	
New England States via		
St. John, N. B.	73	
—	243 Souls.	

Via Grand Trunk:

Detroit, Mich.	4	
Troy, N. Y., via D. & H.	1	5 Souls.

All these passengers were routed by Messrs. Pickford and Black—Halifax Agent for the North Western Line by the Canadian Pacific Railway on instruction from the North-Western Transit Co. 11991

The passengers comprise Assyrians, Armenians, Bulgarians, Italians, Russian Jews, many were detained on inspection by the Immigration Inspector.

The five people who were passed over the Intercolonial Railway and Grand Trunk being local passengers.

Petitioner's Exhibit 1335

11992

From Mr. Salter, Grand Trunk Ry. to I. I. & Co., dated London, May 7th, 1909.

I have your letter of the 6th instant enclosing copy of letter addressed to Mr. Brown bearing on the statements I have made as to the relationship with the North West Transportation Company and the New York and Continental Line.

Your facts and promises are absolutely correct.

11993

From I. I. & Co., to Mr. Brown, C. P. R., London, dated May 8th, 1909.

You will remember at a recent Conference Meeting we brought up a question with respect to the Canadian Pacific Railway Co. allowing a commission to the North West Transport Line on inland business, and the following is copy of the Minute adopted at that Meeting:

11994

"No. 11. Letter from Grand Trunk Railway submitted the C. P. R. representative advises they only allowed commission to the North West Transport Line on inland business because they had been unable to induce the Grand Trunk Railway to agree not to do so, and after they had found that the inter-Colonial Grand Trunk connection at Halifax were paying commission.

"Mr. Sanderson was requested to approach the Grand Trunk Railway with a view to facilitating an agreement between the two Canadian railways (including Inter-Colonial Railway) to allow no commission to the North West Transport Line."

We have taken the matter up with the Grand Trunk Railway who assure us so positively that they are not

allowing, and have no intention of allowing commission to this Steamship Company, neither have the Inter-Colonial Railway allowed any commission that it seems to us your friends must be under some misapprehension on this matter.

I understand that negotiations were opened by the C. P. R. last year in connection with the New York and Continental Lines, but while the Grand Trunk did not make an agreement they still did not allow commission to that Company.

I think the C. P. R. as members of the Atlantic Conference are not desirous of assisting outside competition of this nature, and in view of my information, which I am assured is correct, do you not think your people would be willing to discontinue any commission arrangement they may have with the North West Transport Line.

11996

From Mr. Brown, Can. Pac. R'way to I. I. & Co., dated May 14th, 1909.

On my return to London yesterday I received your favor of the 8th which you advised me in Liverpool you had sent. I am sending the correspondence out to our friends in Montreal, and will communicate with you on hearing from them.

11997

From Mr. Salter, Grand Trunk R'way to I. I. & Co., dated May 18th, 1909.

I have your letter of the 17th instant in reference to the North West Transportation Company's Line, and note that you have conceded a further delay to the Canadian Pacific.

11998

Petitioner's Exhibit 1335

I beg to suggest that you propose to the Continental Lines, while this delay lasts, that we be favoured exclusively with all competitive traffic of their boats *ex* Hamburg, Rotterdam and Bremen, and be given a good share of the traffic *ex* the Canadian Pacific steamers *ex* Antwerp, to make up to us the loss that has arisen due to our course in supporting the Continental Lines.

I would ask you to kindly look into this matter seriously and look for your support. I am desirous of cabling to our people the position.

11999

From Ismay, Imrie & Co., Liverpool.

Geo. McL. Brown, Esq.,
General Traffic Agent,
Canadian Pacific Railway,
62 to 65, Charing Cross,
London, S. W.

May 24th, 1909.

Dear Sir:

12000

We have to thank you for your favor of 14th instant, and note you are communicating with your friends in Montreal and that we may expect to hear further from you when you have a reply.

In view of this matter having been brought up at the March Conference Meeting, we are sending to the Conference Secretary for circulation copies of our correspondence with the Grand Trunk Railway and yourself, as per attached.

Petitioner's Exhibit 1357.

12001

G. No. 464.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 29th, 1909.

To the Parties:

Prepays Cancellation Fee.

12002

The Russian American Line up till now when refunding prepaids deducted 10% cancellation fee regardless on whatsoever grounds the prepaids might have been cancelled. They now say that the American subagents claim that no such cancellation fee should be deducted for passengers who on account of sickness have been refused, contending that the British Lines did not at all deduct cancellation fees. The Russ. America Line desire to have this matter regulated uniformly with all Lines.

Will the Lines please inform me of their views on the subject.

Respectfully,

12003

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 1-Jun. 1909 Ansd.

12004

Petitioner's Exhibit 1358.*G. No. 465.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 29th, 1909.

To the Parties:

12005

North West Transport Line. (G. 462)

S. S. "Raglan Castle," which sailed from Newyork on May 12th with 127 passengers in steerage & 3 in Cabin arrived at Hoek van Holland May 27th early in the morning, landed her passengers in the usual way and proceeded for Hamburg.

On May 25th 48 passengers of the Universal-Reisebureau, Vienna passed Antwerp on their way to Rotterdam for the Atlantic Express Co.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 12006 Recd. 1-Jun. 1909 Ansd.

Defendants' Exhibit 107.

12007

G. No. 466.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, May 29th, 1909.

To the Parties:

Arbitration rates "Mauretania," etc (G. No. 460)

12008

I informed Mr. Wilding of the following letter of
the White Star Line:

"Your G. No. 454.

"To our minds the only matters that can be
put to the Arbitrator for his consideration are
the points named in the minute."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 1-Jun. 1909 Ansd.

12009

12010

Petitioner's Exhibit 1359.*G. No. 467.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, May 29th, 1909.

To the Parties:

12011

North West Transport Line. (G. 447)

The Continental Lines are unanimous to disqualify the firm Corecco & Brivio; the Hamburg American Line subject to three months notice. Will the British Lines please inform me, whether they will join. An eventual disqualification should embrace all agencies and subagencies of Corecco & Brivio not only at Bodio and Chiasso but at all places where they are working and should be extended to all persons in whatsoever connection with them.

Respectfully,

12012

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 1-Jun. 1909 Ansd.

Petitioner's Exhibit 1360.

12013

G. No. 468.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 1st, 1909.

To the Parties:

Superlatives (G. No. 451).

12014

The Holland-America Line write:

"With regard to the advertisement of the
 Allan Line's Rotterdam agents we beg to say
 that same read in English as follows:

"Allan Royal Mail Lines

"Fastest and best service between

"Holland and Canada

"Regular weekly sailings via Liverpool and
 London by fast turbine and screw steamers
 to Quebec-Montreal-St. John's N. F.-St.
 John N. B. and Halifax. Through rates to
 the principal points in Eastern and Western
 Canada, Manitoba, N. W. Territory, British
 Columbia, etc., etc.

12015

"For rates of freight and *other information*
 apply to the Agents

RUIJS & CO.

"It is quite possible that the above advertisement was intended to refer to freight business only, however, it does not say so. Messrs. Ruijs & Co. have *not* signed the advertisement as *freight agents*, but as *agents*. How was the

12016

Petitioner's Exhibit 1360

public to know that the advertisement referred to freight business only? How was it to know that the Allan Line is 'the fastest and the best service between Holland and Canada' only as a freight Line and not as a passenger Line? Messrs. Ruijs & Co. are in the passenger business, they handling all the business, freight as well as passenger, of the Russian Line.

12017

"But apart from this question we believe that once the correctness of the principle being admitted that the use of superlatives constitutes 'a comparison unfavorable to an other Conference Line,' there seems to be no good reason why a line should be bound to refrain from making unfavorable comparisons in the passenger business, but be at liberty to do so otherwise.

"At all events we regret to note the rather uncivil tone in which the Allan Line's remarks were made."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 3-Jun. 1909 Ansd.

12018

Petitioner's Exhibit 1336.

12019

G. No. 469.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 1st, 1909.

To the Parties:

*Min. 114 Commission to N. W. T. L. by Canadian
 Railways.*

Supplementary to G. 463 is the following letter
 from Canadian Pacific Ry. Co. to Messrs. Ismay, Im-
 rie & Co. of May 27th, 1909: 12020

"I. Bruce Ismay, Esqr.,
 Messrs. Ismay, Imrie & Co.,
 30, James Street, Liverpool.

"Dear Sir:

"Acknowledging your favor of the 24th
 inst., enclosing copies of recent correspondence
 passing between you and Mr. Salter. This
 correspondence I note you have sent to the
 Conference Secretary for circulation. As you
 are already aware, our advices are that com-
 mission was offered and paid, Mr. Salter's let-
 ter of April 9th to you, to the contrary not-
 withstanding. In view of his protestations, it
 is of interest to recall a similar situation last
 year, notice of which I understand, also at Mr.
 Salter's instigation, was brought by you be-
 fore the Conference. It will be remembered
 that he then took the same 'purity' stand, ac-
 cused the Canadian Pacific, denied paying com-
 mission to or having any dealings with the
 then New York & Continental Line. Though
 no mention appears in the Conference Minutes, 12021

12022

Petitioner's Exhibit 1336

it will be recalled that his letter to the London Agents of the New York & Continental Line was read at the Conference meeting, at which the matter was brought up. In it, he confirmed telephone communications, advised the numbers of Grand Trunk Order Books he had sent them, and instructed the Agents to remit less commission.

12023

"As stated in your letter of the 8th of May to me, you are quite correct in your understanding that last year, the Canadian Pacific (out of deference to the Conference Lines) opened negotiations in Montreal with the Grand Trunk in an endeavor to reach an agreement with that Company not to pay commission. You are also right in saying that the Grand Trunk refused to make an agreement, but you are wrong in supposing that they had no intention of paying commission, because as has been amply demonstrated, they imagined they had already captured the traffic on a commission basis. We found this out and carried the passengers. This year, except that I absolutely refused the business, the situation was precisely similar to that of 1908. Our people on the other side found that commission was being paid and again secured the traffic.

12024

"The causes which blocked the Canadian Pacific in its efforts to bring the Grand Trunk into an agreement last year were such as to make it impossible for them to approach that Company again this year. If the Grand Trunk were quite sincere, it was its duty to approach the Canadian Pacific. You will not dispute our right to meet any rail situation that may be created for us by the Grand Trunk or other competing Rail Lines.

"I contend that this is not a question for Conference debate or consideration, and I would not have replied but for the apparent intent of Mr. Salter's letters and the possible serious consequences to us, of your action in circulating them. Our position, as a Steamship Line, partners with you in agreements looking to our mutual protection, has evidently been overlooked by you, otherwise this question of rail competition as between the Grand Trunk and ourselves, would have been left for settlement between us, and you would not have lent your Company as the medium for this most unfair attack. Though it should not be necessary, in the light of events, it appears incumbent upon me to remind you that the Conference has always had the support of the Canadian Pacific in any steps taken to meet outside competition, paying cheerfully its share of the compensation to fighting ships. In no instance would they, as an individual Steamship Line, have been in any way affected by such competition. You must also recognize that this support has been accorded the Conference Lines to the very considerable loss to Canadian Pacific Rails, in addition to the actual amount they have paid from time to time in compensation. I consider Mr. Salter's letter very misleading, and without this full explanation, might be interpreted to the injury and detriment of the Canadian Pacific Railway, a member of the Atlantic Conference and party to agreement A.A. and Subsidiary Agreements, which facts alone should surely prevent any other Conference Line countenancing an unfair attack by a competing Rail Line having no status in our Conferences."

12026

12027

Respectfully,

H. PETERS.

(Stamped): Received 3 Jun 1909. Ansd.

12028

Petitioner's Exhibit 1361.*G. No. 470.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 1st, 1909.

To the Parties:

North West Transport Line. (G. 465)

12029

I have before me a postal card from Charles Staehli, Basle, dated May 21st to an agent in Belgrad, in which the following rates are given:

Halifax	frcs.	140.—
Quebec & Montreal	"	155.—
New York	"	160.—

headtax included.

Next sailings June 5th, 12th-26th.

12030 In a circular issued by the New York agents of the N. W. T. L., Vesely & Co., dated May 18th, they quote for prepaids from Rotterdam to New York or Halifax \$36.50. Headtax additional. Commission \$3. A note says: "Passengers bound for points West of Detroit save two days ocean trip and pay less for railroad fare by disembarking at Halifax."

Mr. Richard of C. B. Richard & Co. assures that he has no connection, direct or indirect with the N. W. T. L. after the sailing of the "Volturno" May 25th.

Small committee advise:

"Uranium scheduled Eastbound from New York June 5 advertised rate \$26, \$3 commission, but \$4 allowed and even \$5 'on parties of 10.' Committee select 'Russia' Eastbound June 5 from New York and have authorized tariff rate of \$28, \$2 commission, to be reduced to \$26, less \$2 commission.

"The basis, however, not to be published or used prior to May 29th."

I am informed that the N. W. T. L. apply the Hamburg Line's tariff of European inland fares for bookings via Rotterdam.

12032

Referring to G. No. 458, I note from a circular of Mr. Sandford's, received in the meantime, that the reduction of the Rusamerika's rate from \$31 to \$28 commences only with the sailing of the "Russia" June 5th. Hence, the compensation for the "Estonia" is not \$2, but \$4 (Min 22a).

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd 3 Jun. 1909. Ansd.

12033

12034

Petitioner's Exhibit 1362.*G. No. 471.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 2nd, 1909.

To the Parties:

12035

Agent Büchel of Buchs. (G. No. 450)

With regard to the proposed disqualification of Mr. Büchel of Buchs, the White Star Line send me copy of the following letter of their Southampton office of May 27th:

"* * * we have had a visit from Mr. W. Fankhauser, Manager for Kaiser & Co., Basle, through whom Buchel forwards passengers for the White Star and American Lines.

12036

"We have had a long talk with Mr. Fankhauser, and after consideration are of the opinion that the complaints against Buchel of circulating the papers referred to by the Transatlantic Co. in Mr. Peters' circular letter G. 450 are exaggerated. He absolutely denies having any knowledge of the circular addressed to Croations (appendix to G. 450) referring to Zotti being connected with Klause, Zwilchenbart and Im Obersteg & Co.

"The tricolour cards such as complained of have however been issued by him, though not for any particular service, the excuse being that the colours red, white and blue, are the Croatian colours, which are the same as the French.

Petitioner's Exhibit 1362

12037

"Kaiser & Co., advise us that they have informed Buchel that these cards must not be issued; and a stop is being put to their circulation.

"As this appears to be the only matter proved against Buchel that is irregular, we do not think he should be disqualified on this account, but would be agreeable to have him disqualified unless he discontinued their use and in future acted in conformity with the limitations put upon Companies' Head agents."

In view thereof the White Star Line do not feel that they are justified in supporting the proposal to disqualify Mr. Buchel of Buchs. 12038

The proposed disqualification therefore cannot be carried out.

Respectfully,

12039

12040

Defendants' Exhibit 108.*G. No. 472.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 2nd, 1909.

To the Parties:

12041

North West Transport Line. (G. 465)

Transat write:

"Nous avons bien reçu votre lettre circulaire No. 455. Nous voyons que l' 'Uranium' a pris très peu d'Italiens puisque, sur 436 passagers il n'y en avait que 31 dont 4 pour les Etats-Unis. Les mesures que nous avons prises à la frontière semblent donc avoir produit leur effet. Il serait à souhaiter que des mesures soient prises également pour empêcher l'arrivée des Russes."

12042 With reference to G. No. 462 Transat notify that the North West Transport Line charge at Basle:

140 Francs gross and
 121.25 " net from Rotterdam.

On May 27th and 28th, 58 passengers from the Universal Reisebureau passed Antwerp for the Atlantic Express.

Respectfully,

Defendants' Exhibit 109.

12043

G. No. 473.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 2nd, 1909.

To the Parties:

Arbitration rates Mauretania, etc. (G. No. 466)

12044

The Cie. Gle. Transatlantique write:

"Nous avons bien reçu votre lettre circulaire No. 454 au sujet de l'opposition de plusieurs lignes à notre baisse éventuelle de 10/—, si l'arbitre donne raison à la White Star et à la Cunard.

"Ce n'est certes pas nous qui avons demandé la baisse de 10/—, réclamée d'abord par la Cunard et ensuite par la White Star. Mais si ces deux compagnies obtiennent cette baisse, nous serons dans un état d'infériorité surtout vis-à-vis de la White Star qui touche en France. Du reste, c'est l'arbitre qui doit décider et nous n'aurons qu'à nous en remettre à son jugement. Ce que nous ne pouvons pas comprendre, c'est que certaines compagnies ne font pas d'opposition à une baisse du prix de la White Star et qu'elles s'opposent à ce que nous fassions de même."

12045

A copy of this circular letter has been sent to Mr. Wilding.

Respectfully,

H. PETERS.

Defendants' Exhibit 110.

12046

G. No. 474.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 3rd, 1909.

To the Parties:

Calling at Lisbon of Newyork Liners.

12047 The Hamburg American Line ask me to promulgate the following correspondence between the Chief of the Trade Department in the Ministry of foreign affairs at Lisbon and their Director General Mr. Ballin.

Respectfully,

Ministerio dos
 Negocios Estrangeiros.
 Direccao Geral dos Negocios
 commercias e consulares

Lisbon, 22 de maio de 1909.

Cher Monsieur

12048 Vous vous rappelez peut-être que l'année 1905 j'étais envoyé par mon Gouvernement à Hambourg pour faire des démarches auprès les Directeurs de la Compagnie "Hamburger Süd Amerika Linie" pour établir une escale à Lisbonne des grands transatlantiques qui font le voyage de l'Amérique du Sud, ayant arrivé à une heureuse entente, de façon que ces voyages continuent encore avec des très bons résultats pour le même Compagnie, aussi bien que pour le développement du mouvement de passagers et du commerce international.

Maintenant mon Gouvernement serait très désireux d'obtenir des compagnies de navigation un service de transatlantique entre New York et Lisbonne, et,

comme votre puissante Compagnie maintient une ligne directe entre New York et les de la Méditerranée, il me semble qu'il vous serait relativement facile de combiner des voyages avec escale à Lisbonne soit pour tous les paquebôts, soit, au commencement, avec une combinaison alternative entre Lisbonne et les ports des Açores.

Je crois qu'une combinaison pareille doit réussir, puisque, spécialement pendant l'hiver, plusieurs passagers de l'Amérique du Nord voudraient bien venir débarquer à Lisbonne pour suivre par le sud-express soit vers l'Europe Centrale soit vers les bords de la Méditerranée, faisant d'abord leurs excursions en Portugal et en Espagne où le climat est extrêmement doux pendant la saison froide.

12050

Si, donc, vous croyez qu'il sera possible d'aboutir à quelque combinaisons en ce sens, le Gouvernement Portugais voudrait bien entrer en pourparlers avec la personne que votre Compagnie voudrait choisir pour se mettre en rapport avec nous ici à Lisbonne, ce qu'il pourrait faciliter beaucoup l'entente.

En attendant votre réponse, je vous prie, Monsieur, d'agréer mes salutations distinguées,

(Sgd) C. ROQUE DA COSTA

Chef du Departements des négociations des traités de commerce au Ministère des Affaires Etrangères à Lisbonne.

12051

Hamburg-Amerika Linie,
Bureau des Vorsitzenden des
Directoriums

Hambourg, le 29 Mai 1909.

Cher Monsieur,

Je vous suis bien obligé de votre aimable lettre du 22 courant, par laquelle vous m'informez qu'il est

Defendants' Exhibit 110

12052

le désir de votre Gouvernement d'obtenir un service régulier de paquebots transatlantiques entre Lisbonne et New York, et vous me demandez s'il n'était pas possible de faire escale à Lisbonne sur notre Ligne entre New York et la Méditerranée.

12053

Votre proposition a toute mon attention et je vous en suis très reconnaissant, mais après examen soigneux je dois vous dire franchement que je ne me promets pas de succès commercial d'une telle combinaison. Vous faites mention de l'escale à Lisbonne avec les grands transatlantiques allant à l'Amérique du Sud, établie il y a 4 ans à l'instigation de votre Gouvernement, mais vous n'ignorez pas qu'il y a une différence importante, vu que les relations commerciales et le mouvement de passagers sont infiniment plus larges entre le Portugal et l'Amérique du Sud, qu'entre le Portugal et l'Amérique du Nord. Et tandis que le détour et la perte du temps sont insignifiants dans le premier cas, il en résulterait de considérables pour notre Ligne de New York à la Méditerranée. Par conséquent, il est certain que l'exécution d'une telle combinaison laisserait de la perte, et si vous considérez que les conséquences de la crise mondiale et les dégâts qu'elle a opérés, ne sont pas encore entièrement passées, vous trouverez que le moment actuel n'est pas propice à l'exécution d'un tel project.

12054

Toutefois je ne le perdrai pas de vue, et tout en vous réitérant mes remerciements de votre aimable proposition je vous prie, Cher Monsieur, l'agréer mes sentiments bien distingués.

sign: BALLIN.

Monsieur C. Roque de Costa,
 Chef du Département des négociations des traités
 de Commerce au Ministère des Affaires Etran-
 gères à Lisbonne.

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 10 Jun. 1909. Ansd.

Defendants' Exhibit 111.

12055

G. No. 475.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 3rd, 1909.

To the Parties:

North West Transport Line. (G. No. 472.)

12056

The Red Star Line report the following passengers
 for the North West Transport Line:

May 24th	from	Zürcher, Chiasso	8	passengers
" 28th	"	"	6	"
" 30th	"	"	40	"
" 29th	"	Universal Reise-Bureau	27	"
" 31st	"	"	8	"
	since May 18th reported		221	"

Total: 310 passengers

of which 256 from the Universal Reise-Bureau

54 " Zürcher, Chiasso.

12057

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 7 Jun. 1908. Ansd.

12058

Defendants' Exhibit 112.*G. No. 476.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 3rd, 1909.

To the Parties:

12059

Arbitration rates Mauretania etc. (G. No. 473.)

At the request of the Red Star Line I have sent
Mr. Wilding copy of the enclosed statistic showing
averages of II. cabin passengers carried by a number
of steamers during 1908 and 1909.

Respectfully,

12060

Defendants' Exhibit 112

12061

Annex to G 476

Nach Steamers Statistik 1908 II Classe

Lusitania	Mauretania	Carmania	Caronia	Oceanic	Adriatic
3/1. 190	17/1. 278	13/1. 142	9/4. 83	8/1. 62	25/1. 153
2/2. 367	28/2. 427	26/3. 255		5/2. 130	20/2. 208
13/3. 359	27/3. 341	23/4. 105		4/3. 103	19/3. 196
10/4. 170	17/4. 163			1/4. 173	16/4. 170
Zus. 1086	zus. 1209	zus. 502	zus. 83	zus. 468	zus. 727
4 Reisen	4 Reisen	3 Reisen	1 Reise	4 Reisen	4 Reisen
Durchschnitt 271.5	Durchschnitt 302.2	Durchschnitt 100.7	Durchschnitt 83	Durchschnitt 117	Durchschnitt 182
La Gascogne	La Lorraine	La Bretagne	La Touraine	La Savoie	La Provence
6/1. 35	11/1. 82	20/1. 41	26/1. 68	3/2. 69	6/3. 222
31/3. 125	8/2. 61	16/2. 28	22/2. 104	28/2. 84	4/4. 240
	11/4. 198	16/3. 97	21/3. 159		
			18/4. 119		
Zus. 160	zus. 341	zus. 166	zus. 450	zus. 153	zus. 462
2 Reisen	3 Reisen	3 Reisen	4 Reisen	2 Reisen	2 Reisen
Durchschnitt 80	Durchschnitt 114	Durchschnitt 55.2	Durchschnitt 112.5	Durchschnitt 76.5	Durchschnitt 231
		Chicago	Caroline		

12062

12063

1909.

Lusitania	Mauretania	Carmania	Caronia	Oceanic	Adriatic
1/1. 114	29/1. 150	17/1. 174	7/4. 127	7/1. 75	29/1. 111
14/2. 162	18/2. 150	21/4. 107		11/2. 89	25/2. 141
5/3. 238	11/3. 223			10/3. 97	26/3. 122
26/3. 265	9/4. 250			7/4. 78	22/4. 153
23/4. 199					
Zus. 978	zus. 773	zus. 281	zus. 127	zus. 339	zus. 527
5 Reisen	4 Reisen	2 Reisen	1 Reise	4 Reisen	4 Reisen

Defendants' Exhibit 112

Durchschnitt 195.6	Durchschnitt 193.2	Durchschnitt 140.5	Durchschnitt 127	Durchschnitt 85	Durchschnitt 131.7
La Gascogne	La Lorraine	La Bretagne	La Touraine	La Savoie	La Provence
1/2. 170	24/1. 185	10/1. 93	3/1. 90	16/1. 225	13/2. 236
9/3. 128	3/4. 187	2/2. 165	28/2. 182	20/2. 170	13/3. 301
6/4. 171		7/3. 175	28/3. 194	21/3. 267	9/4. 277
		31/3. 50		17/4. 195	
zus. 469 3 Reisen	zus. 372 2 Reisen	zus. 483 4 Reisen	zus. 466 3 Reisen	zus. 857 4 Reisen	zus. 814 3 Reisen

Durchschnitt 156.3	Durchschnitt 186	Durchschnitt 120.7	Durchschnitt 155.3	Durchschnitt 214.2	Durchschnitt 271.3
--------------------	------------------	--------------------	--------------------	--------------------	--------------------

Chicago	Caroline	Lousiane	Floride
21/2. 242	8/1. 5	29/1. 25	15/4. 56
23/3. 303	20/2. 101	20/3. 18	
Zus. 545 2 Reisen	zus. 106 2 Reisen	zus. 43 2 Reisen	zus. 56 1 Reise
Durchschnitt 272.5	Durchschnitt 53	Durchschnitt 21.5	Durchschnitt 56

Defendants' Exhibit 113.

12067

G. No. 477.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 4th, 1909.

To the Parties:

Arbitration rates Mauretania etc. (G. No. 473) 12068

At the request of the Cie. Gle. Transatlantique I
have sent Mr. Wilding today their reply to the state-
ments of the White Star & Cunard Lines as per annex.

Respectfully,

12069

12070

*Defendants' Exhibit 113**Annex to G. 477 4/6 09*

COMPAGNIE GENERALE TRANSATLANTIQUE.

Paris, 2nd June 1909.

Arbitration Rates "Mauretania," "Adriatic," etc.

We are in receipt of your favours of the 15th and 22nd ult., containing the statements of the White Star Line & the Cunard Line regarding the above matter.

12071

As the Allan Line has already pointed out the French Line, contrary to what the White Star Line writes, is not the only Line objecting to the reduction of 10/— claimed for by the White Star Line and the Cunard Co. This point is now quite clear and we need not come back to it. But we do not quite see how the fact that we are the only ones protesting against the treatment of favour asked for by the White Star Line could be brought up against us. An agreement has been concluded in London on February 5th 1908 which in our opinion is fair and just; it is therefore quite natural that we should try to oppose any measure which would put us in an unfavourable position.

12072

The statistics do not show that an increase of sailings or a bringing out of new tonnage gives necessarily at the end of any one year a corresponding increase in the percentage of the total carryings. We see for instance that the Lloyd in 1906 had 95 departures West and a percentage of 12.55% for second class business, while in 1907 110 sailings in the same direction gave the Lloyd a percentage of only 11.67% for the same business.

Evidently the White Star Line had more sailings in 1908 than in 1907 (we understand they had 94

departures in 1908 in the Atlantic service against 84 in 1907) but this increase is not at all proportionate to the large increase in the White Star percentage which we have mentioned in Circular G. No. 432.

As to new tonnage we are not aware that the White Star has put any new ships in the New York service during the year 1908.

At the foot of the first page of the statement of the White Star Line we read the following:

"For instance * * * could not on that account demand that the rates for its various steamers should be advanced."

12074

We simply want to point out that in the present case we are not asking for an advance in rates; we only wish that the agreement W adopted and signed by all in February 1908 remains as it now stands.

"*OCEANIC*."—According to the White Star Line the "*Savoie*" & "*Lorraine*" being of more recent construction than the "*Oceanic*" the differential of ten shillings which agreement W grants to our two steamers should not exist. We think that the White Star ought to have put this claim forward last year when the agreement W was being elaborated. However the "*Oceanic*" is an 1899 boat while the "*Lorraine*" & "*Savoie*" have been built in 1900. The difference is therefore trifling and should not be taken into account. On the other hand the "*Oceanic*" is a much larger steamer than the "*Savoie*" & "*Lorraine*;" she has a tonnage of 17274 while the tonnage of our steamers is only 11,100. We think therefore, that the differential of 10/— granted to the "*Savoie*" and "*Lorraine*" by agreement W should be maintained.

12075

"*ADRIATIC*."—We can only repeat here that in our opinion it would be a gross injustice to our Com-

Defendants' Exhibit 113

12076

pany to classify a boat like the "Adriatic" with our steamers "Lorraine" & "Savoie."

12077

Evidently the speed of the "Lorraine" & "Savoie" is superior to that of the "Adriatic," but there is no doubt that a very large part of the travelling public cares much more for large vessels of moderate speed on which they find more commodities and more comfort. The "Adriatic" offers all this to her clientele while the "Lorraine" & "Savoie" whose tonnage is not half that of the "Adriatic" are heavily handicapped on these points. Under these circumstances we think that the "Adriatic" can very well afford to allow to our steamers a differential of 10/—.

We note what the Cunard write regarding the Cie. Gle. Transatlantique not being a Member of the Atlantic Conference. We should have written "by the signatories of agreement W" instead of "by the members * * *". We think however that this is of no importance in this special case.

12078

According to the Cunard Line the fact that the majority of the Lines is willing to grant the reduction sought for by the White Star and the Cunard is a sufficient proof that the classification adopted in London on February 5th 1908 was not just and fair; this, we think, is not conclusive. The statement of the Cunard Line would mean that in any assembly the majority is necessarily right. We think that this assertion is contrary to the facts and if one were to admit this argument of the Cunard there will be no necessity of appealing to an arbitrator.

We confirm here what we have written above on the increased sailings and the increased percentages. We also think that the gain of the Cunard in the percentage of the total carryings is not proportionate

to the increase in the number of sailings. We understand that the Cunard had 80 departures West in 1908 against 70 in 1907.

The speed of "Lorraine" & "Savoie" cannot be described as being 21-22 knots. In 1908 the average speed of "Provence" has been 20.50 to 21, and the "Savoie" & "Lorraine" have only in one or two instances exceeded 20 knots.

On the other hand we would like to point out that "Carmania;" "Caronia" were built in 1905 and that they are much larger than our two boats.

But the point on which we want to insist is that the granting of the reduction of 10/— would upset the whole classification adopted in London on February last. We feel certain that when this agreement was being elaborated, every member present at the Conference had in mind that the said agreement, in spite of the notice clause inserted therein, would remain untouched until the end of February, 1911. Any alterations in the rates would abolish the fairness of this agreement. We therefore ask the arbitrator to declare that the agreement W is to remain as it now stands or if a reduction is granted to the White Star & Cunard Lines that the same privilege is to be extended to our Company as required in G. No. 432 for we think that the differentials adopted in London last year must be kept up.

12080

12081

(Stamped): North Atlantic Passenger Conference.
Received 7/6 1909. Acknl'd 1909. Answered
1909.

12082

Defendants' Exhibit 114.*G. No. 478.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 4th, 1909.

To the Parties:

*Outstanding Russian Ppds. of Russ. Vol. Fleet. (G.
 No. 378.)*

12083

The Russian American Line claim for the passengers carried under byelaw 78 a difference in rate between their rate and the rate of the Russ. Vol. Ppds of Rubel 17 instead of Rubel 15 on the grounds that in the negotiations with the Russ. Vol. Fleet the latter had declared that the average rate of the Ppds. would amount to *about* 51 Rubels, and that later on they got for 304 adults, 195 children and 11 infants only Rubels 19506.68 which averages with Rubels 48.31 per adult. They say that they did not claim the difference from the Russ. Vol. Fleet on account of the average rate having been declared in byelaw 78 with *about* 51 Rubels and further point out that

12084

1) in said byelaw the A. C. Lines had declared to pay half the difference between the net rate at which the ppd. had been issued and the net rate of the Russian American Line on Oct. 22nd.

2) the net rate of the Russ. Vol. Fleet is Rubel 48.31.

3) it is admissible to signify 48% as about 51.

The differences in rates they say is due to the circumstance, that Richard & Co. got less money for the prepaids which were sold later on.

Will the Lines please inform me whether they recognize the claim of the Russian American Line; it amounts to Rbl. 135.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 8 Jun. 1909. Ansd.

Defendants' Exhibit 115.

12085

G. No. 479.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 7th, 1909.

To the Parties:

Arbitration rates Mauretania etc. (G. 477.)

12086

The Cie. Gle. Transatlantique write:

Paris, 5th June 1909.

"Arbitration rates 'Mauretania,' 'Adriatic,'
 etc.

"Dear Sir,

"We have duly received your circular 476 and we beg to thank the Red Star Line for the statement they have been kind enough to draw up.

"In their statement the Red Star Line refer only to statistics; they do not consider at all the actual situation of the emigration throughout Europe. We want to point out that owing to the increase of the steerage prices and to the unwillingness of the British Lines to put up the second class prices, the clientele travelling nowadays in second class is mostly an emigrant one. In 1908, the British and Scandinavian emigration was stronger than the Continental, this is shown by the results of the Pool. In 1909, it was quite the reverse and the number of continental emigrants was far in excess of that of British and Scandinavian emigrants.

12087

12088

Defendants' Exhibit 115

"The section 42 of the United States Law of 1908 has reduced our carrying capacity as far as steerage accommodation is concerned and many of our customers who would have been travelling in steerage should we have had room for them are taking second class tickets.

12089

"We much regret the action of the British Lines who refused to increase the second class rates; we were quite agreeable to put our prices up as proposed by the Continental Lines but under the understanding that all Lines would do likewise in order that the schedule established in London last year for the agreements V & W should not be disturbed."

Copy has been sent to Mr. Wilding.

Respectfully,

12090

Petitioner's Exhibit 1363.

12091

G. No. 480.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 7th, 1909.

To the Parties:

Chas. Staehli. (G. 452.)

12092

Since all parties agree to disqualify the agent Charles Staehli at Basle on account of forwarding passengers for the North West Transport Line I herewith beg to request the parties to issue their circular disqualifying him and to send me copies of it.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 9 Jun. 1909. Ansd.

12093

12094

Defendants' Exhibit 116.*G. No. 481.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 7th, 1909.

To the Parties:

12095

North West Transport Line. (G. 475.)

The Red Star Line report the following passengers:

June 3rd from Universal Reisebureau	17 passengers
" 4th " " "	20 "
" 4th from G. Zürcher, Chiasso	2 "
	<hr/>
	39 passengers

since May 18th

from Universal-Reisebureau	293 passengers
" G. Zürcher	56 "

12096

Total:	349 passengers
--------	----------------

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 9 Jun. 1909. Ansd.

Petitioner's Exhibit 1364.

12097

G. No. 482.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 9th, 1909.

To the Parties:

Prepays cancellation Fee. (G. No. 464.)

12098

With regard to the above question the desire is expressed to have the matter referred to the Newyork Conference for settlement; I shall inform Mr. Sandford of it and would request the Lines kindly to advise their representatives.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 11 Jun. 1909. Ansd.

12099

12100

Defendants' Exhibit 117.*G. No. 483.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 10th, 1909.

To the Parties:

Monthly Statements for May.

12101

According to Form 30, No. 5 I beg to inform the
 Parties that the following payments are to be made:

Continental Lines	to	White Star Line	£	4437.—.—
Allan Line	"	" " " "	"	175.—.—
" "	"	Canadian Pacific		
		Ry. Co.	"	120.—.—
Anchor Line	"	Dominion Line	"	1648.—.—
" "	"	Canadian Pacific		
		Ry Co.	"	480.—.—
Cunard-Line	"	American Line	"	5964.—.—
" "	"	Dominion Line	"	2951.—.—
Donaldson Line	"	Canadian Pacific		
		Ry. Co.	"	328.—.—

12102

Respectfully,

Defendants' Exhibit 118.

12103

G. No. 484.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 10th, 1909.

To the Parties:

Union Ticket Office.

12104

The Red Star Line write:

"The passengers as per list herewith (annexed) arrived here this morning.

"From what we can find out they purchased tickets at Krakau from the Reisebureau 'Vaderland' & have been forwarded from Vienna to Basle by the 'Universal Reisebureau.' In Basle the Union Ticket Office attended to the reforwarding to Antwerp where they were taken charge of by the Union Ticket Office (Head Office) & sent on to Glasgow to be forwarded by the Anchor Line.

12105

"It seems thus that the Union Ticket Office is in relation with disqualified firms."

The Anchor Line will no doubt look into the matter and let me know.

Respectfully,

12106

*Defendants' Exhibit 118**Annex to G. No. 484. 10/6.09*

	Pikula	Wojeich	37	Kamien
	Socha	Marcin	26	"
	Kapiec	Marianna	18	"
	Bednarz	"	16	"
	Kabec	Agnieszka	16	"
	Orsak	Marianna	21	"
	Swierat	Ludwig	16	Nawsie
	Chmiel	Katarzyna	18	"
	Kebala	Stefania	19	"
	Smysski	Wladislaw	25	Wedelka
12107	Dyrda	Katarsyna	18	Zolynia
	Was	Juliana	22	"
	Czupa	Stefan	32	Bobka
	Waida	Iwan	26	"
	Rylik	Magda	25	"

(Stamped): North Atlantic Passenger Conference.

Received 12-6-1909 Acknl'd 1909 Answered 1909.

12108

Defendants' Exhibit 119.

12109

G. No. 485.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 12th, 1909.

To the Parties:

Arbitration Cabin rates.

12110

Enclosed I beg to send the award of Mr. Wilding.
 Respectfully,

Annex to G. No. 485. 12/6.09.

The Moorings, Basset, Southampton.
 June 9th, 1909.

*Atlantic Conference Minute 107.**First-Class Rates "Mauretania" and "Lusitania."*

12111

Having regard to the carryings of these steamers as compared with others in 1908 and to the fact that all Lines except the Allan Line have assented to the proposed reduction of 10/- or its equivalent in the rate fixed for these steamers by Agreement "V" I consider the Cunard Company's claim to make this reduction is established and I so award.

12112

*Defendants' Exhibit 119**Second-Class Rates**"Caronia" "Carmania" "Oceanic" and "Adriatic."*

12113

When a Line introduces new and improved tonnage into its service such tonnage takes away business from the previously existing steamers of that Line to an even greater extent than from corresponding steamers of other Lines and in making this Award I must not be taken as assenting to the argument that only the carryings of individual steamers and not the total carryings of the Line owning such steamers are to be taken into account in fixing the rates for the steamers.

But having carefully considered all the arguments advanced in this case together with the statistics for 1907 and 1908 and those for first four months of 1908 and 1909 sent by the Secretary at the request of the Red Star Line I consider this group of steamers are entitled to make a reduction of 10/- or its equivalent in the rates fixed for them by Agreement "W" and I so award.

12114

Minute 107 does not authorize me to consider alterations in rates for steamers not named in the Minute but having regard to claims put forward by the Allan Line and by the Cie Generale Transatlantique I think it well to say that I do not consider those Lines entitled to any reduction in consequence of the reductions established by this Award.

HY. WILDING.

My Fee £10:10:0. to be paid by the Atlantic Conference.

Petitioner's Exhibit 1365.

12115

*G. No. 486.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 12th, 1909.

To the Parties:

North West Transport Line.

Hapag received the following cable:

"Uranium sailed yesterday (9th) instead of June 5th, five cabin, 160 steerage. Russia June 5th 609 steerage; Oceanic June 9th 602 of which 334 to Hamburg at 25 dollar rate."

12116

From Mr. Sandford I received the following cable:

"Raglan Castle about June 23rd allowing extra commission high as five. Small Committee consider necessary adopt same tactics. Cable confirmation."

The Parties were informed by both these telegrams and I am still waiting for the reply from several of them.

It is not clear if the proposal is to oppose the Raglan Castle on even terms, say same rates and same commissions or if the intention is, to keep the regular rate of the opposing steamer, but allow the same commission as the N. W. T. L.

12117

At any rate in either of these cases it would not be equitable that the fighting steamer should receive compensation only on the basis of Minute 22a resp. 22d in which a higher than the regular commission of \$2 is not considered but only a reduction of the regular (gross) rate. I think the amount of compensation must be based on the difference in the *net* rate.

In order to avoid differences of opinion later on this point ought to be decided, before the proposal of the Small Committee is adopted.

Respectfully

12118

Petitioner's Exhibit 1366.*G. No. 487.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 12th, 1909.

To the Parties:

Corecco & Brivio (G. 467).

12119 In consequence of a suggestion of the Anchor Line I wrote the above gentlemen, putting them before the alternative of acting either for the Conference Lines or for the North West Transport Line, adding that I would take their decision as holding good also for their branch offices or dummies.

To this they have replied (Translation):

"* * * replying we inform you sincerely

"(1) that since 33 years we have been loyal and diligent agents of the Cie. Gen. Transatlantique for which line we have always worked and shall continue to do so in future.

"(2) that we will be responsible for our firm and branch offices, but not for other agencies with which we are not in business connection.

12120

"(3) We further beg to inform you that from July 1st our Mr. Karl Corecco, until now the manager of our firm will retire from it; the emigration business however will be carried on under the firm Corecco & Brivio Stock Co. for emigration, Messrs. Olivio Fontana & Pirro Brivio, Managers."

I now ask them for an explanation for their connection with the N. W. T. L. and upon receipt of their reply shall ask the Lines, all of which have agreed to

Petitioner's Exhibit 1337

12121

the disqualification if they abide by it, or whether they will try if by keeping them the Italian business which the N. W. T. L. hitherto got can be reduced.

Respectfully,

Petitioner's Exhibit 1337.

G. No. 488.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address
"Secretair," Jena.

12122

Jena, June 12th, 1909.

To the Parties:

Compensation "Estonia" (G. 470).

The Russian American Line write, that besides the compensation of \$4. p. 1/1 they claim a compensation for demurrage from saturday to monday. Particulars of this claim they will hand in, when received from Newyork.

12123

With regard to this point I received the following information from Newyork:

"'Volturno's' Eastbound sailing has been postponed to Tuesday, May 25—she is now in dry-dock repairing damage caused by ice when entering Halifax Westbound. One of the reasons for the selection of 'Estonia' was that Messrs A. E. Johnson & Co. offered to meet the tactics of 'Volturno' to the extent also of postponing 'Estonia's' sailing, if necessary. Messrs.

Petitioner's Exhibit 1337

12124

A. E. Johnson & Co. have asked to be relieved of delay in departure of 'Estonia' in view of the fact that she is to proceed Eastbound under reduced boiler capacity and that the delay in 'Voluturno's' sailing was not intentional.

"Committee, however, deemed it advisable to insist on fulfillment of the promise above mentioned, so that even at the last moment 'Voluturno' should have no opportunity of profiting by absence of a competing rate and steamer. 'Estonia's' sailing will accordingly be postponed to May 25.

12125

"Committee undertook no guaranty for the disbursements and expenses to 'Estonia' incident to this delay; but in view of the conditions which have made it necessary ('Voluturno's' delay), Committee recommend that you take into full consideration all these things in adjusting the settlement with Russian American Line."

I shall revert to the matter when I have received the particulars of Rusamerika's claim and in the mean time the Lines will please consider it in principle.

Respectfully,

12126

(Stamped): North Atlantic Passenger Conference.
Received 14/6 1909 Acknl'd 1909. An-
swered 1909

Petitioner's Exhibit 1367.

12127

G. No. 489.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 12th, 1909.

To the Parties:

North West Transport Line (G. No. 481)

12128

I informed the parties that the Raglan Castle left Rotterdam on the 5th instant with 458 steeragers of which 152 for Halifax, according to G. 481 the number of passengers reported by the Red Star Line was 349; so she got 109 passengers besides.

The reports of the Red Star Line for the next departure are:

	Passengers	
June 7th from Universal Reisebureau	12	
" 8th from Universal Reisebureau	16	
" 8th from Chas. Staehli, Basle (Macedonians)	8	12129
Total	<hr/> 36 <hr/>	

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 14 Jun. 1909. Ansd.

12130

Petitioner's Exhibit 1368.*G. No. 490.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 14th, 1909.

To the Parties:

12131

North West Transport Line (G. No. 489.)

The Red Star Line report the following passenger
 transports for the N. W. T. L.:

	Passengers
June 10th from Universal Reisebureau	53 10/2
" 11th from Universal Reisebureau	26 1/2
" 10th from Zürcher, Chiasso	4
" 12th from Zürcher, Chiasso	6
	<hr/>
	89 11/2
Carried over from G. No. 489	36
	<hr/>
Total	125 11/2

12132

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Rec'd 16 June, 1909. Ansd.

Petitioner's Exhibit 1369.

12133

G. No. 491.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 14th, 1909.

To the Parties:

North West Transport Line. (G. No. 490).

12134

The actual number of passengers carried by the
 "Raglan Castle," which left Rotterdam on the 5th inst.
 is 326 for New York and 133 for Halifax.

Of them came

	for United States	Halifax	
from Russia	284	25	
" Austria	11	14	
" Hungary	10	2	
" Roumania	3	1	
" Italy	4	14	
" Holland	2	—	
" Belgium	1	—	12135
" England	11	77	
	<hr/>	<hr/>	
	326	133	
	<hr/>	<hr/>	

Most of the passengers from England are Armen-
 ians who came from Liverpool.

Respectfully,

12136

Petitioner's Exhibit 1370.*G. No. 492.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 15th, 1909.

To the Parties:

II. cabin statistics (G. No. 457).

12137

In the eastbound statistic for 1907 the percentage for the Allan Line's Liverpool service for 5674 passengers must read 5.57%, which please correct. The addition remains the same.

Respectfully,

H. PETERS,
 p. Rep.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 17 Jun. 1909. Ansd.

12138

Petitioner's Exhibit 1371.

12139

G. No. 493.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 16th, 1909.

To the Parties: .

North West Transport Line (G. No. 491).

12140

With reference to G. 486 the parties are agreeable to pay up to \$5 commission against the "Raglan Castle" June 23rd. I telegraphed Mr. Sanford accordingly. The Norddeutscher Lloyd received the following cable from their N. Y. representatives, who also speak for the allowance of extra commission:

"Committee selecting Russian East Asiatic Company 'Estonia' May 24th against 'Volturno' instructed former follow competition tactics allowing extra commission in case of absolute necessity, resulting 'Volturno' obtaining but 72 steerage passengers against 'Estonia' 343. Russian East Asiatic 'Russia' selected June 5th against 'Uranium' June 5th under same conditions, but latter postponed June 9th. Committee selected 'Oceanic.' Latter declined extra commission permitting 'Uranium' obtain 147 against 'Oceanic' 343, Russia 609. Committee appointed Russian East Asiatic 'Lithuania' against 'Raglan Castle' June 23rd. It is our opinion, Committee should have full authority allow extra commission in case of absolute necessity meeting competitors' tactics."

12141

12142

Defendants' Exhibit 120

On this occasion I beg to say that the Cie. Gle. Transatlantique consider the payment of extra commission as very dangerous and not necessitated by the number of steeragers which the N. W. T. L. got. The Hamburg American Line think it best that the decision whether it is more advisable to reduce the gross rate or to pay higher commission should be left to the decision of the Small Committee. As this is an extension of Minute 22 I would request the Lines to state whether they are agreeable to it.

Respectfully,

12143

Defendants' Exhibit 120.

G. No. 494.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address
"Secretair," Jena.

Jena, June 16th, 1909.

12144

To the Parties:

Payments to and from the Russian East Asiatic S. S. Co.

According to Form 35, No. 5, the following payments are to be made for the month of May:

Russian East Asiatic S. S. Co. to N. D. L. V.	
Lines	£ 478.
Russian East Asiatic S. S. Co. to Anchor	
Line	" 14.

Defendants' Exhibit 120

12145

Russian East Asiatic S. S. Co. to American Line	£ 20.	
Russian East Asiatic S. S. Co. to Dominion Line	" 49.	
Russian East Asiatic S. S. Co. to Cunard Line	" 65.	
Allan Line to Russian East Asiatic S. S. Co.	" 33.	
White Star Line to Russian East Asiatic S. S. Co.	" 8.	
Canadian Pacific Ry. Co. to Russian East Asiatic S. S. Co.	" 37.	12146

To avoid to and fro remittances the Parties will
please make them as follows:

Russian East Asiatic S. S. Co. to N. D. L. V. Lines	£ 478.	
Russian East Asiatic S. S. Co. to Cunard Line	" 65.	
Russian East Asiatic S. S. Co. to Anchor Line	" 5.	
Allan Line to Anchor Line	" 1.	
Allan Line to American Line	" 20.	
Allan Line to Dominion Line	" 12.	
White Star Line to Anchor Line	" 8.	12147
Canadian Pacific Ry. Co. to Dominion Line	" 37.	

The Parties will please inform me when they have
made or received the remittances.

Respectfully,

12148

Defendants' Exhibit 121.*G. No. 495.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address
"Secretair," Jena.

Jena, June 16th, 1909.

To the Parties:

12149

North West Transport Line (G. 493).

With reference to Hapag's cable promulgated in G. No. 486 I beg to inform the parties that, according to an information I received from New York, the departure of the "Uranium" was postponed from N. Y. from June 5th to June 8th. As competing steamer the "Russia" on June 5th had been fixed, which departure could not be postponed. The Small Committee therefore decided to supplement competition by nominating S.S. Oceanic from New York June 9th with special rate of \$25 less \$2 commission to Hamburg & Rotterdam. Uranium had been advertised at \$25 less \$3 official and even \$4 and \$5 commission unofficial. The "Russia" made \$25 less \$2.

12150

Respectfully,

Defendants' Exhibit 122.

12151

G. No. 496.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 18th, 1909.

To the Parties:

North West Transport Line (G. 493).

12152

The Red Star Line report the following passenger
 transports for the N. W. T. L.:

	Passengers	
June 13th from Universal Reisebureau	12	
" 14th from Universal Reisebureau	13	
" 15th from Universal Reisebureau	41	
	<hr/>	
	66	
Carried over from G. No. 490	125 11/2	
	<hr/>	
Total	191 11/2	
	<hr/>	12153

Respectfully,

12154

Petitioner's Exhibit 1372.*G. No. 497.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 19th, 1909.

To the Parties:

12155

North West Transport Line (G. No. 495).

G. No. 493. After cabling to New York that the parties agreed to pay up to \$5 commission against "Raglan Castle" June 23rd I received information that the consent of the B. L. had been erroneously communicated but had not been obtained. I therefore cancelled my telegram of the 15th on the 17th inst. saying that the small committee must act strictly in accordance with Minute 22.

I beg to inform the parties yet that the N. W. T. L. reduced their III. class Ppd. rate from \$36.50 to \$34.50.

Respectfully,

12156

Defendants' Exhibit 123.

12157

G. No. 498.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 21st, 1909.

To the Parties:

North West Transport Line. (G. No. 496)

12158

The following further passenger transports are reported for the North West Transport Line:

June 17th from Universal Reisebureau	44 3/2
" 18th from Universal Reisebureau	19
" 19th from Universal Reisebureau	26 6/2
	<hr/>
	89 9/2
Carried over from G. No. 496	191 11/2
	<hr/>
Total reported	280 20/2

S.S. "Vultarno" left Rotterdam Saturday June 19th 12159
 with 319 steeragers of which 70 for Halifax.

Respectfully,

12160

Petitioner's Exhibit 1373.*G. No. 499.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 22nd 1909.

To the Parties:

Compensation SS. "Estonia" against "Vulturno"
5/24, 09.

12161 The Russian American Line send me the following
 bill of compensation, expenses and demurrage for SS.
 Estonia 25 ult.:

"As per arrangement between the Small
 Committee and Messrs. A. E. Johnson & Co.,
 Newyork, the following outlays to be refunded
 the Russian America Line by the A. C. Lines
 for putting the s/s "Estonia" as fighting
 steamer against the s/s "Vulturno" leaving
 Newyork on the 24th of May, 1909:

	Difference in rate 296/1 26/2 21/0 steer-	
	agers = 309 at \$4.	\$1236.
12162	2 days' dockhire, caused by the delay of	
	"Vulturno" at \$60.	120.
	Board and lodging for passengers as per	
	vouchers	5.80
	Extra commission as per statement	104.
	Difference in railfare between Hamburg—	
	destination and Rotterdam—destination,	
	as per statement	21.90
	2 days' demurrage at \$265	530.
		<hr/>
		\$2017.70
		<hr/>
		E. & O. E.

Petitioner's Exhibit 1373

12163

As to the compensation of \$4 per adult this amount is in order in accordance with G. 470. As to the extra commission of \$10.4 allowed for 47/1, 10/2, 3/0 I beg to refer to the telegram of the representatives of the Nordd. Loyd promulgated in G. 493, from which is to be inferred that this extra commission has been allowed by the small committee on their own authority; the same seems to be the case with the amount of \$21.90 of difference in railway fare as according to G. 470 the North West Transport Line applied the Hamburg Line's tariff of European inland fares for bookings via Rotterdam and no doubt the small committee will have met this step by applying the same tariff, which would explain said amount. With regard to the amounts of demurrage and the expenses in connection with it of \$120 and \$5.80 I beg to refer to G. 488.

12164

Will the parties (Allan Line excepted) please inform me whether they agree to total sum of \$2017.70 being paid.

Respectfully,

12165

4055

12166

Petitioner's Exhibit 1374.*G. No. 500.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, June 23rd, 1909.

To the Parties:

Russian Volunteer Prepaids from Libau. (G. 478).

12167

After the parties agreed to grant to the Russian American Line their claim as per G. No. 478 I beg to submit the account of the Russian American for Prepaid passengers carried under Minutes 78 and 113 as per annex. As to the latter Minute the Allan Line do not participate in the passengers forwarded before October 22nd, the total amount of Rubel 2876.25 is to be divided as follows:

(a) forwarded before October 22nd 1908:

102 ad. 66 chldr. 8 inf. at Rbl. 17 p.
 ad.=Rbl. 2295 of which $1/2$ = Rbl. 1147.50

(b) forwarded after October 22nd:

12168

133 ad. 127 chldr. 6 inf. at Rbl. 17 &
 30 p. ad=Rbl. 3457.50 of which
 $1/2$ = Rbl. 1728.75

 Rbl. 2876.25

The amounts under a & b must therefore be distributed over two percentages. As Transat and Austro participate in them, the calculation of the percentages is as follows:

Petitioner's Exhibit 1374

12169

Transat's share in connection with the N. D. L. V. Lines is 9.39% the remaining 90.61% for the N. D. L. V. Lines is equal to 62.48% under the A. C. Agreement. Transat's share is therefore $62.48 \times 9.39 \div 90.61 = 6.47\%$ and the total of the A. C. percentages incl. Transat 106.47% which after reducing to 100 gives the following percentages:

A.

Allan Line	0.58%	
Anchor Line	3.19%	
Cunard Line	12.91%	
Hapag	18.42%	12170
Nasm	6.23%	

 41.33

carried over : 41.33%

Lloyd	24.92%
Red Star Line	9.12%
White Star Line	8.08%
American Line	6.27%
Dominion Line	4.20%
Transat	6.08%

 100.00

12171

Austro's share is 4% of the N. D. L. V. and Transat; as N. D. L. V. and Transat represent 64.77% of the above percentages, the basis of calculation is $64.77 \times 4 \div 96 = 2.70\%$. The total of percentages inclusive of Austro is therefore 102.70% which after reduction to 100 gives the following percentages to which I have added the amounts due to the Russian American Line for passengers carried after October 22nd:

12172

Petitioner's Exhibit 1374

B.

	Allan Line	0.56%	Rubel 9.68
	Anchor Line	3.11%	" 53.76
	Cunard Line	12.57%	" 217.30
	Hapag	17.94%	" 310.14
	Nasm	6.07%	" 104.94
	Lloyd	24.26%	" 419.40
	Red Star Line	8.88%	" 153.51
	White Star Line	7.87%	" 136.05
	American Line	6.10%	" 105.45
	Dominion Line	4.09%	" 70.71
12173	Transat	5.92%	" 102.34
	Austro	2.63%	" 45.47
		<hr/>	<hr/>
		100.00	Rubel 1728.75
		<hr/>	<hr/>

Deducting the 0.56% of the Allan Line the percentages and amounts due to the Russian American Line for passengers carried before October 22nd are:

C.

	Anchor Line	3.13%	Rubel 35.91
	Cunard Line	12.64%	145.04
12174	Hapag	18.04%	207.01
	Nasm	6.10%	70.00
	Lloyd	24.40%	280.00
	Red Star Line	8.93%	102.47
	White Star Line	7.91%	90.77
	American Line	6.14%	70.46
	Dominion Line	4.11%	47.16
	Transat	5.95%	68.27
	Austro	2.65%	30.41
		<hr/>	<hr/>
		100.00	Rbl. 1147.50
		<hr/>	<hr/>

Petitioner's Exhibit 1374

12175

The total amounts due to the Russian American Line
are:

Allan Line	Rubel	9.68	
Anchor Line	"	89.67	
Cunard Line	"	362.34	
Hapag	"	517.15	
Nasm	"	174.94	
Lloyd	"	699.40	
Red Star Line	"	255.98	
White Star Line	"	226.82	
American Line	"	175.91	
Dominion Line	"	117.87	12176
Transat	"	170.61	
Austro	"	75.88	
		<hr/>	
		Rubel 2876.25	
		<hr/>	

which the parties will please remit to the Russian
American line at Libau.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 25—Jun. 1909. Ansd.

12177

Petitioner's Exhibit 1375.

Annex to G. No. 500. 23/6 1909.

R. V. F. Libau prepaids carried by the Russian American Line.

Date	S/S	1/1	1/2	o/o	Rec. from R. V. F.	R. A. L.'s net rate 22/10/08	Difference	
25/ 7/9.08	Korea	52	33	2	Rb. 48.	Rb. 65.	Rb. 17.	
9/22/ 9	Estonia	50	33	6	"	"	"	
14/27/10	Korea	46	48	4	"	"	"	
4/17/11	Estonia	26	28	1	"	"	"	
	"	2	2	0	"	Rb. 78.	Rb. 30.	impr. steer.
25/ 8/12	Birma	18	16	0	"	" 65.	" 17.	
	"	1	—	—	"	" 78.	" 30.	impr. steer.
16/29/12	Estonia	5	6	—	"	" 65.	" 17.	
13/26/ 1	Korea	4	4	—	"	" 65.	" 17.	
28/10/ 2	Estonia	5	4	—	"	"	"	
19/ 4/ 3	Lituania	14	9	1	"	"	"	
	"	1	—	—	"	" 78.	" 30.	impr. steer.
10/23/ 3	Russia	3	3	—	"	" 65.	" 17.	
	"	3	—	—	"	" 78.	" 30.	impr.
1909.								
7/20/ 4	Lituania	10	1	7	—	" 65.	" 17.	
21/ 4/ 5	Estonia	13	1	—	—	" 78.	" 30.	impr. steer.
	"	3	—	—	"	" 65.	" 17.	
Total Steerage		235	193	14				
Improved Steerage		8	2	—				
Steerage		227	191	14				

@ Rbl. 30.=Rbl. 270.
" " 17.= " 5482.50

Rbl. 5752.50
50%= " 2876.25

Defendants' Exhibit 124.

12181

G. No. 501.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 26th, 1909.

To the Parties:

North West Transport Line. (G. No. 498.)

12182

The following passenger transports are reported
 for the N. W. T. L.:

June 20th from Universal Reisebureau	12
" 21st " " "	34
" 22nd " " "	14
" 23rd " " "	10
	<hr/>
Total reported	70

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 28 Jun. 1909. Ansd.

12183

12184

Petitioner's Exhibit 1376.*G. No. 502.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 26th, 1909.

To the Parties:

Second Class rate.

12185

The Red Star Line write: (Translation)

"The small difference between 2nd & 3rd class rates becomes more and more disagreeably remarkable. Not alone that the adjustment of the Pool by raising the 3rd class rates is impossible but also a large number of steeragers are literally forced into the 2nd class and thus diverted from the pool. On the other hand the 2nd class becomes overburdened, and elements are brought into it which according to their social standing do not belong there and they cause serious complaints from the real 2nd class passengers. These conditions presumably exist with all parties."

12186

A letter from the French Line, received to day, also complains on the invasion of the 2nd cabin by emigrants on account of the low rates.

The Red Star Line under these circumstances propose once more a general advance of the 2nd class rates by 20 sh and ask that the Lines wire their vote.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 29 Jun. 1909. Ansd.

Defendants' Exhibit 125.

12187

G. No. 503.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, June 29th, 1909.

To the Parties:

North West Transport Line. (G. 501.)

12188

The following passenger transports are reported
 for the North West Transport Line:

June 24th from Universal Reisebureau 28 passagiere

" 25th " " " 31 "

" 25th " G. Zürcher, Chiasso 3 "

62

carried forward from G. No. 501 70

Total reported so far for next sailing 132

Respectfully,

12189

Defendants' Exhibit 126.

12190

G. No. 504.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, June 29th, 1909.

To the Parties:

North West Transport Line. (G. No. 493.)

12191

I informed the parties of the following telegram
from New York:

"23rd Lituania 551; 26th Raglan Castle
160; Vaderland 840."

In pursuance to G. No. 497 I beg to say that the
question as per G. No. 493 whether it is advisable to
leave the decision on the eventual payment of extra
commission in competition against the North West
Transport Line to the Small Committee, has been de-
nied.

Respectfully,

12192

Defendants' Exhibit 127.

12193

G. No. 505.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 2nd, 1909.

To the Parties:

North West Transport Line. (G. No. 504.)

News: Newyork June 18th:

12194

"S. S. 'Raglan Castle' previously scheduled to sail June 23 sailing date postponed to June 26.

"Rate advertised officially is \$23. less \$3. commission. Usual extra commissions current up to \$5.

"S. S. 'Lituania' scheduled to sail June 23 will do so on that day but her rate has been changed from \$24. to \$22. less \$2. commission."

Newyork 21st:

12195

"S. S. 'Raglan Castle' scheduled Eastbound sailing date now June 26. Rate has been reduced to official \$21. less \$3. commission—usual extras current.

"Committee have selected S. S. 'Vaderland' Eastbound June 26, with rate \$20. less \$2. commission, to be handled in the customary way."

With reference to the proposal of the small committee to meet the competition by allowing the same

Defendants' Exhibit 127

12196

extra commission as N. W. T. L. I had to reply that matter must be dealt with strictly according Minute 22. In confirmation of the receipt of the resp. cable I received the following letter of June 17th:

12197

"* * * But you are aware of the fact that in the case of competing steamers 'Estonia' and 'Russia,' a commission in excess of \$2. was paid in order to secure certain specific passengers who were in the market and who were controlled by this means. Two dollars extra commission is said to have been paid on 52 passengers for the 'Estonia' and on 31 for the 'Russia'—accounts rendered will show the exact figures."

The following sailings from New York are advertised:

Volturmo	July 3rd
Uranium	" 17th
Raglan Castle	" 31st

and fortnightly thereafter in the same turn.

Respectfully,

12198

Defendants' Exhibit 128.

12199

G. No. 506.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 2nd, 1909.

To the Parties:

North West Transport Line. (G. 503.)

12200

The following passenger transports are reported
 for the North West Transport Line:

June 26th from Universal Reisebureau	18 passengers
" 28th " " " "	18 "
" 29th " " " "	8 "
Transport	132 "
Total:	<hr/> 176 passengers <hr/>

Respectfully,

12201

12202

Defendants' Exhibit 129.*G. No. 507.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 2nd, 1909.

To the Parties:

12203

Union Ticket Office. (G. No. 484.)

In reply to G. No. 484 I received through Mr. Smyth the following information from the Anchor Line:

12204

"'Union Ticket Office.' There is in our view some misapprehension as to our Antwerp Agents and the business that was called 'Vaterland.' Our Agents at Antwerp have repeatedly stated that they have no connection with 'Vaterland' or Mr. Onishcavish. 'Vaterland' was an office in Rotterdam, now closed up so far as we know. We are still obtaining passengers from our Antwerp Agents that are 'San Rafael Society' people but we see no connection between this Society and the disqualified 'Vaterland.' As to your charge that U. T. O. at Basle obtained some business from the Universal Reise-Bureau, Vienna, then U. T. O. must reply to this charge."

"The Red Star Line in reply to the above write:

"The answer of the Anchor Line is not to the fact. The passengers originally may have applied to the Raphaelsverein, the tickets however they received from the disqualified Tour-

Defendants' Exhibit 129

12205

ist Office 'Vaterland.' The passengers were forwarded at Vienna by the disqualified Universal Reisebureau to Basle; at Basle Mr. Demeester the man of the Union Ticket Office forwarded them to Antwerp, whence they were forwarded by the Union Ticket Office to the Anchor Line. The case by the way has repeated itself yesterday. There arrived three passengers with tickets from the Tourist Office 'Vaterland'; they were forwarded thither in the way above mentioned and were received by the Union Ticket Office. Our employee himself saw the ticket of 'Vaterland.'

12206

"The Union Ticket Office is therefore in business connection with two disqualified firms and we propose therefore the disqualification of the Union Ticket Office."

I shall be glad to receive the expressions of the Lines on the proposal.

Respectfully,

12207

12208

Petitioner's Exhibit 1377.*G. No. 508.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 2nd, 1909.

To the Parties:

Compensation "Russia" against "Uranium,"
June 23rd. 09.

12209 The Russian America Line submit the following
 bill for compensation for S. S. "Russia":

"As per agreement between the Small Committee and Messrs. A. E. Johnson & Co., New-york, the following outlays to be refunded the Russian America Line by the A. C. Lines:

"Difference in rate: 493/1 76/2	
36/0 = 531 at \$3.—	\$ 1,593.—
"Extra commissions as per attached statement	" 62.—
	<hr/>
	\$ 1,655.—

12210

"Should there be any difference in the European Railwayfare, we reserve ourselves to revert to this question later on."

The rate at which the 'Russia' was appointed to fight the "Uranium" is according to G. No. 495 \$ 25.— which is \$3 less than the Russian America Line's regular rate. As to the statement for extra commission which shows 29/1, 4/2 at \$2 per adult I beg to refer to-day's circular letter No. 505. Subject to the revision of the above account as to the exact numbers will the Lines please inform me whether they agree to pay the bill.

Respectfully,

Defendants' Exhibit 130.

12211

G. No. 509.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 3rd, 1909.

To the Parties:

Control stations.

12212

I received the following letter from the Hamburg-Amerika Linie and Norddeutscher Lloyd jointly:

Hamburg
 ————— June 30th 1909.
 Bremen

"In consequence of Minute 118 of the Paris meeting on March 25th 1909, the Norddeutscher Lloyd and Hamburg-Amerika Linie entered into negotiations with the German Government. From the very commencement of the discussions, they noticed that the chances for the fulfilment of the wishes of the British Lines were not favorable. The points of view given for the repellant attitude of the Government may be summed up as follows:

12213

"Just as the French Government prescribes that emigration going through France, may only take place from French ports, the German Government adopts the point of view that, strictly speaking for emigration coming from Germany or via Germany only German ports should be taken as starting-places. Now in the

Defendants' Exhibit 130

12214

case of Companies like the Red Star Line or the Transatlantic who have no German ports at their disposal, the German Government can well understand the wish to attract passengers from Germany to their Continental ports of departure, but in the case of the British Lines, whose passengers are free to travel from German ports and for whose passengers German ports are even more favorably situated than all others, the German Government fails to recognize the justifiability of the desire to attract passengers coming from Germany to Antwerp and Rotterdam. In the eye of the Government, to allow such mode of conveyance would be tantamount to directing traffic away from German ports to non-German ports.

12215

"It was pointed out with great emphasis that the chief point of view in the promulgation of the German emigration law, was the care for the welfare of the emigrant. In the past the German Government has always looked with suspicion upon a mode of conveyance of emigrants that entails a change of ship abroad; the resultant unpleasantness for the emigrant, needs no demonstration. Even the German Companies, as far as their own traffic is concerned, are not allowed such indirect conveyance. Only after long negotiations and repeated representations on the part of the circles interested, did the Government in the year 1898 consent '*contre coeur*' to grant licences to the American Line, the Cunard Line and the White Star Line. But its misgivings regarding indirect conveyance have remained the same. In the licenses of the American Line, Cunard Line and White Star Line, the ports of Hamburg and Bremen are explicitly prescribed as ports

12216

Defendants' Exhibit 130

12217

of embarkation. It must be remembered that, when emigrants are conveyed indirectly via Hamburg and Bremen, the Government always have the surety that they will be treated in the seaports according to the prescriptions of German Law and that they will be forwarded to England in ships equipped according to German Law; in Germany these are considered to be two advantages which the emigrant fails to enjoy, if he is conveyèd indirectly from non-German ports.

12218 "In the course of the proceedings it was pointed out how great a concession had been made, when, in December 1908 the Government, whilst waiving certain important rules, such for instance as the obligation of ships to classify with the Germanic Lloyd etc., had made arrangements not only in favor of the licensed British Lines (American, Cunard and White Star) but also in favor of the unlicensed British Lines (Anchor, Allan and Dominion), arrangements which guaranteed the unhindered transmigration of their passengers through Germany. It was able to do that, after the German Companies had undertaken full guarantees for the sanitary despatch in 12219 the frontier controlling stations, for railway-conveyance separate from that of other passengers all the way from the frontier to Hamburg and Bremen for lawful treatment of the emigrants in Hamburg and Bremen, for lawful conveyance from Hamburg and Bremen to England and for the conveyance from England to America, so that in the eye of the law such passengers might count as having been forwarded by the German Lines, in ships of the British Lines. It, however, had to decline

Defendants' Exhibit 130

12220

conveyance via Rotterdam, Antwerp, Havre and Boulogne with change of ship abroad, even if the German Lines were to go surety or even supposing the German Lines were prepared to undertake the conveyance abroad, say with their own ships.

12221

"From several quarters it was pointed out that the Anchor, Allan and Dominion Lines did not possess any license at all in Germany and further that the American, Cunard and White Star Lines were authorized carriers in Germany, namely from Hamburg and Bremen. That therefore, what the German Lines were putting forward, was, in the first place, an application for the licensing of a foreign line and, in the second place, an application for an extension of the already existing license of another line.

12222

"That both these applications were not applications which like the matter in December 1908, could be settled by changing the prerogatives of the German Lines, that the Government therefore was not able to accept any proposals whatever from the German Lines relating thereto, but that the Companies interested must make their own petitions. That, indeed, there could be no doubt as to what the result of such a petition would be, because a petition of the White Star Line for permission to carry passengers from Antwerp, as well as from Hamburg and Bremen, had met with a refusal only in April last year.

"In the foregoing statement we have endeavored to reproduce as fully as possible, not only the decision given, but also the leading points of view. The Lines which come in question, will gather from these explanations that fur-

Defendants' Exhibit 131

12223

ther endeavours promise no success and that the German Lines can do nothing more in the matter."

Yours truly

HAMBURG-AMERIKA LINIE

Abteilung: Personenverkehr

Ad. Storm

NORDDEUTSCHER LLOYD

Abt. Zwischendeckspassage

v. Plettenberg

Respectfully,

12224

Defendants' Exhibit 131.

G. No. 510.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, July 3rd, 1909.

To the Parties:

Funds of immigrants.

12225

I received this morning the following
Telegram from Mr. Sandford:

"Inform all lines Commissioner immigration decided unsafe for Immigrants to arrive hereafter with funds inadequate for support until they obtain employment even though holding railway ticket to destination, Commissioner suggests 25 dollars as necessary in most cases."

which I passed on immediately.

Respectfully,

12226

Petitioner's Exhibit 1378.*G. No. 511.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 3rd, 1909.

To the Parties:

12227

Second class rates. (G. No. 502.)

The proposal to make a general advance of II. class rates by 20 Marks has not been agreed to. Part of the replies is such, that it might be concluded that the resp. Lines are averse to any advance. Nevertheless I still beg to submit the following proposals that have come forward with regard to II. class.

- 1) to advance rates off Continent by 20 Marks,
- 2) to make a general advance by 10 Marks,
- 3) to advance all continental rates by 10 shillings,
- 4) to charge head tax separately.

12228

Will the Lines please inform me to which of these four proposals they would be agreeable. Lines from which there is no reply here on 8th inst. I shall consider that they do not see their way to agree to any of them.

Respectfully,

Defendants' Exhibit 132.

12229

G. No. 512.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 5th, 1909.

To the Parties:

North West Transport Line. (G. 506).

12230

There are the following reports from the Red Star
 Line of passengers for the North West Transport
 Line:

From Universal Reisebureau for Atlantic Express.

on July 1st	36 passengers
" " 2nd	29 "
transported from G. No. 506	176
	<hr/>
Total:	241 passengers
	<hr/>

It is to be seen from the above reports that the
 figures are increasing.

12231

Respectfully,

Defendants' Exhibit 133.*G. No. 513.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 5th, 1909.

To the Parties:

North West Transport Line.

"Uranium" left Rotterdam on 3rd instant with 10
 passengers in cabin and 391 in steerage of which 102
 for Halifax.

Respectfully,

Previous sailings:

"Voluturno"	June	19th	319	steeragers of which 70 for Halifax					
"Raglan Castle"	"	5th	459	"	"	"	133	"	"
"Uranium"	May	15th	436	"	"	"	87	"	"
"Voluturno"	"	1st	387	"	"	"	210	"	"
"Raglan Castle"	April	19th	274	"	"	"	161	"	"
"Uranium"	"	3th	450	"	"	"	169	"	"
"Voluturno"	March	20th	738	"	"	"	155	"	"
"Raglan Castle"	"	2nd	540	"	"	"	144	"	"
			<hr/>						
			3603						
Uranium as above			391						
			<hr/>						
			3994						

Petitioner's Exhibit 1379.

12235

*G. No. 514.***ATLANTIC CONFERENCE.**

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, July 6th, 1909.

To the Parties:

On June 11th the American Line wrote about their steadily increasing shortage and referring to Art. 11a of the Agreement asked that the Continental Lines, being all in the plus, should advance. On June 22nd they repeated this application also for the Dominion Line. In the mean time I had replied that for several reasons the Continental Lines could not further advance, the main reason being, that the difference between their lowest steerage rates plus headtax and the second cabin rate (which includes headtax) for the majority of the steamers in the trade had become so small, that a further advance of the steerage rate would seriously interfere with the pooling arrangements. On June 25th the White Star-Dominion Line and the American Line Philadelphia service reduced their Continental steerage rate by 10 Marks.

12236

The Cunard Line on June 23rd wrote:

12237

"Referring to your sheet No. 22 for the period up to 15th June, we notice that the American and Dominion Lines continue to increase their minus position westbound. The shortage of the American Line up to the 15th June has risen to no less than 4.479 and that of the Dominion Line to 5.655.

"May we ask what measures have been taken or are proposed to be taken, by these two Lines to endeavor to carry the percentage that has been allotted to them?"

12238

Petitioner's Exhibit 1379

In my reply I referred to the reduction of these Lines in their continental rates in view of the impossibility for the Continental Lines to increase their rates.

To this the Cunard Line replied:

12239

"We are in receipt of your letter of the 26th ult., and note that the American Line have been in communication with you in regard to their Continental rates. In looking over the numbers, however, that have been carried, it must be apparent that the same action might have been taken by the American and Dominion Lines, not only in regard to Continental rates, but in regard to British and Scandinavian. We are afraid that the alteration in the American and Dominion Line's Continental rates will hardly have the result of correcting their position under the Agreement."

12240

The position of the American Line, both services at the end of the first half year is minus 4696 or 39% short of their share. The Dominion Line, carried 5367 and their shortage is 5814 or 108%! Although it may be premature to judge about the effect of the reduction of their continental rate it seems hardly possible that they can recover their position with their present differentials. The Continental Lines need not put their steerage rates higher and cannot possibly, in view of there being apparently no chance of increasing the second class rates. But apart from that the position is such that the adjustment can hardly be brought about by continental business alone.

Referring to Article 11 I would ask both the Lines to inform me, soonest possible what further measures they propose, which, as provided for by Minute 2, must be "sufficient to bring about the desired result."

Respectfully,

(Stamped): Received 9 Jul. 1909. Ansd. 7/9.

Defendants' Exhibit 134.

12241

G. No. 515.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 7th, 1909.

To the Parties:

Monthly Adjustment Payments with the Scandinavian 12242
American Line.

According to Monthly Adjustment-Statements for
 the month of June (Form 41, No. 1) I beg to re-
 quest the Scandinavian-American Line to make the
 following payments to

N. D. L. V. Lines	£ 1477.	
Allan Line	" 166.	
Anchor Line	" 129.	
American Line	" 287.	
Dominion Line	" 46.	
White Star Line	" 513.	
Cunard Line	" 495.	12243
Canadian Pacific Ry. Co.	" 151.	
	<hr/>	
	£ 3264.	
	<hr/>	

The Scandinavian-American Line will please send
 their check for the N. D. L. V. Lines to me.

Respectfully,

12244

Defendants' Exhibit 135.*G. No. 516.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 7th, 1909.

To the Parties:

12245 *Monthly Adjustment Payments with the Russ. East-
 asiatic S. S. Co.*

According to Monthly Adjustment-Statements for
 June (Form 35, No. 6) the Russian East-Asiatic SS.
 Co. will please pay to:

	N. D. L. V. Lines	£ 2434.
	Allan Line	" 108.
	Anchor Line	" 159.
	American Line	" 332.
	Dominion Line	" 140.
	White Star Line	" 505.
	Cunard Line	" 630.
12246	Canadian Pacific Ry. Co.	" 84
		£ 4392.

The Russian East-Asiatic S. S. Co. will please send
 their checks for the British Lines direct to the re-
 spective Lines.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 9—7—1909 Acknl'd 1909 Answered 1909.

Petitioner's Exhibit 1380.

12247

G. No. 517.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 7th, 1909.

To the Parties:

Compensation "Estonia" against "Volturno" 24/5 12248
1909. (G. 499.)

The replies of the Lines with reference to this subject differ to some extent, as regards the points in which the bill (G. No. 499) is not within the terms of Minute 22. Whilst some of them express their view, that they should be met in this case if sanctioned by the Small Committee, others take the standpoint that Minute 22 has to be stuck to strictly and some Lines have written to New York for further information.

As to the sanction of the Committee I beg to refer to G. 488, which seems to contain the informations.

Respectfully,

12249

12250

Petitioner's Exhibit 1381.*G. No. 518.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 7th, 1909.

To the Parties:

*North West Transport Line & Lozantcheff Freres,
 Monastir.*

12251

The Cunard Line write on July 3rd:

"We are advised that the firm of Lozantcheff Freres, Monastir, have forwarded last week 10 passengers to the firm Zwilchenbart and Kaiser U. Co., Basle. In view of the headway the North West Transport is making in the westbound business perhaps you would care to take this matter up with the firms in question as to the acceptance of such passengers from Agents who are in close relationship with the North West Transport Line."

12252

So far agents have not been informed that Lozantcheff Freres, Monastir, are agents with whom they must have no dealings, and it has not been reported, that this firm is in relationship to the N. W. T. L. Will the Cunard Line please let me know the facts by which this relationship is established, so that eventually the firm may be disqualified as per Minute 20.

In the meantime the Lines for which the above mentioned Basle firms are acting as agents may take cause to ask them for which Line or Lines the above passengers were booked.

Respectfully,

Petitioner's Exhibit 1382.

12253

G. No. 519.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, July 7th, 1909.

To the Parties:

Net rates.

12254

On several occasions complaints have been raised with reference to the quoting of net rates for steerage business on the Continent on the part of the French Line and several of the British Lines. The French Line some weeks ago have instructed their agents, to quote only gross rates and to make no allowance of their commission but then their agents pointed to the net rates of the Basle agents of the American Line, Cunard Line & White Star Line. I then applied on June 12th to the Cunard Line and Messrs. Ismay, Imrie & Co. and received from the latter the following reply:

12255

"With further reference to your letter of the 12th inst., wherein you sent us copy of communication received from the French Line on the subject of gross rates being made for third class business over Havre and Cherbourg, we wish to say that the matter has received our careful consideration but we feel in view of the impossibility of preventing the Basle agents from making concessions in the gross rates by their paying away part of their commission it would seemingly be of no object to

Petitioner's Exhibit 1382

12256

adopt the proposal now put forward and we therefore for this reason consider that the position should be allowed to remain unchanged, thus leaving the Basle agents to add to the nett rate whatever commission they feel competition will permit them to take."

12257

This reply is considered as most unsatisfactory by all the Continental Lines who have expressed their views on it and who are unanimous, that it must not be allowed, to pass so slightly on an open disregard of the agreement. Art. 14a of the Agreement AA leaves no doubt that the agents have to charge *gross* rates out of which the Lines have to pay them the commission, as fixed, and Art. 5 A of the Agreement Z to which the Atlantic Conference Lines are parties, reads: "For Continental business *only gross* through rates off Continental ports to be quoted."

Whilst it is admitted that under special circumstances it may be useful to depart from certain regulations of the agreements this however cannot be left to the individual parties but has to be decided by Conference.

12258

Will the Lines concerned please conform to the Agreements or point out for consideration of the Conference such reasons as they think make it in the interest of the Community to maintain for the present, the present practice.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 9 Jul. 1909. Ansd.

Defendants' Exhibit 136.

12259

G. No. 520.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 8th, 1909.

To the Parties:

Monthly Statements for June.

12260

According to the Summary of Monthly Adjustment-Statements for June Form 30, No. 6 I beg to request the Parties for the following payments being made:

Anchor Line	to	Dominion Line	.....£ 158.—.—	
" "	"	Donaldson Line	....." 44.—.—	
White Star Line	"	Dominion Line	....." 224.—.—	
Cunard Line	"	Continental Lines	....." 9104.—.—	
" "	"	American Line	....." 4274.—.—	
" "	"	Allan Line	....." 1092.—.—	
" "	"	Canadian Pacific Ry. Co.	....." 1080.—.—	
" "	"	Dominion Line	....." 529.—.—	12261

Respectfully,

(Stamped): North Atlantic Passenger Conference.

Received 10/7 1909. Ack'd 1909. Answered
 1909.

12262

Defendants' Exhibit 137.*G. No. 521.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 9th, 1909.

To the Parties:

Funds of immigrants. (G. No. 510.)

12263

I received this morning a cable from Secretary Sandford which referred to a cable which the New-york representative of the Hamburg American Line, Mr. Boas, had sent to his Company and upon application they repeated it to me as follows:

"At meeting of all lines today general protest of steamship lines against arbitrary actions of immigration—Commissioner was considered unwise and dangerous, please construe cable July second to Peters rather in nature of general warning to be careful in booking if immigrants have reliable addresses of relatives and railroad tickets, they will be admitted even with less than twenty-five, but families should have at least twenty-five."

12264

The second part of this cable I passed on by wire to all the Lines of the various Conferences.

Respectfully,

Defendants' Exhibit 138.

G. No. 522.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 10th, 1909.

To the Parties:

North West Transport Line.

The steeragers forwarded by the S. S. "Vulturno"
 from Rotterdam June 19th and by S.S. "Uranium"
 July 3rd were composed according to countries where
 they came from as follows:

	S. S. "Vulturno" June 19th			S. S. "Uranium" July 3rd		
	For Halifax.	For U. S. A.	Total.	For Halifax	For U. S. A.	Total.
from Russia	6	218	224	20	282	302
" England	30	3	33	59	—	59
" Hungary	1	22	23	—	18	18
" Austria	9	12	21	1	5	6
" Germany	—	7	7	—	1	1
" Italy	1	6	7	2	2	4
" Turkey	—	3	3	—	—	—
" Roumania	—	1	1	—	—	—
" Bulgaria	1	—	1	—	—	—
	—	—	—	—	—	—
	48	272	320	82	308	390
	—	—	—	—	—	—

For all the passengers from England, with the exception of one, Liverpool was reported as being their last residence and by their names I judge them all to be Armenians. Is there nothing to be found out in Liverpool, which way these passengers come to Liverpool?

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 12 Jul 1909. Ansd.

12268

Petitioner's Exhibit 1383.*G. No. 523.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 10th, 1909.

To the Parties:

Advance Second Class Rates. (G. No. 511.)

12269

Of the 4 proposals made in G. No. 511:

1	was	agreed	to	by	4	Lines
2	"	"	"	"	7	"
3	"	"	"	"	6	"
4	"	"	"	"	4	"

Of 3 Lines no reply has been received.

There is therefore no chance for the present to agree
 on even a slight advance.

12270

The Red Star Line informed me today that for the
 summer season they have advanced their second class
 minimum rate to New York to M 220, Boston 230
 Marks with a view to repress the rush of third class
 passengers into the second class caused by the hitherto
 trifle difference between second and third class rates,
 of which I informed the Lines by wire.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 12 Jul 1909. Ansd.

Petitioner's Exhibit 1384.

12271

G. No. 524.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 12th, 1909.

To the Parties:

Union Ticket Office. (G. No. 507)

In reference to G. No. 407.

Mr. Smyth writes:

"* * * this matter was fully discussed at a recent meeting of the British Lines, and I am desired to inform you that the Anchor Line will write to the Union Ticket Office warning them that they must have no connection whatever with, nor must their passengers come through the Universal Reise-Bureau at Vienna. In regard to the allegation as it concerns the "Vaterland" office, I would say that the Anchor Line has already replied thereto as per letter embodied in your G. No. 507 above."

12272

Red Star Line:

(Translated):

"This morning (10th) at 7 o'clock there arrived here for the Union Ticket Office in destination for the Anchor Line 5 1/2 passengers from the Reisebureau Vaterland Krakau. They had closed envelopes from the Universal Reisebureau, Vienna, the firm of which as also the address of the Union Ticket Office were printed on the envelopes, which is clear evidence that the Union Ticket Office besides is in regular business connection with the disqualified Universal Reisebureau, Vienna, besides Vaterland."

12273

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 14 Jul 1909. Ansd.

12274

Petitioner's Exhibit 1338.*G. No. 525.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 13th, 1909.

To the Parties:

American and Dominion Lines' Minus (G. No. 514.)

12275

The American & Dominion Lines' reply to G. No.
 514 reads:

"We have your favour of the 6th inst. (G. 514) and note what you say as to Continental Lines who are all in the plus, being unable to advance third class rates mainly because of the small difference existing between Third Class & Second Class rates.

12276

"As you are aware we have already expressed our willingness to join in a general advance of Second Class rates, which would enable Continental Lines to advance Third Class rates and so give effect to the fundamental principle of the Agreement embodied in Commentary to Article 11 'A.A.' which says adjustments of carryings, whenever practicable, are to be effected not by reducing rates of one Line, but on the contrary by raising the rates of one or several of the Lines.

"It was in view of the improbability of this being brought about that we took the only step open to us, viz: to reduce Continental Rates, and if it be found after sufficient time has elapsed to show the effect of this, that the meas-

Petitioner's Exhibit 1338

12277

ures taken do not produce an adequate result, our Continental Rates can be reduced still further, but with regard to the suggestion that we might take similar action with respect to British and Scandinavian Rates, we are already down to our minimums scheduled at London Meeting Feb. 5th as per Appendix I. of 'A.A.' and are not at liberty to go below those figures."

It is evident that the views of the Cunard Line on the schedule of May 1st, 1907, are at variance with those of the American & Dominion Lines.

The Cunard Line says:

12278

"The same action (reduction) might have been taken by the American & Dominion Lines not only in regard to Continental rates but in regard to British and Scandinavian."

The American & Dominion Lines say:

"We are already down to our minimums."

From the fact that the Schedule embodied in Agreement C. C. contains lower rates than the schedule of May 1st, 1907 one must conclude that the rates in this latter schedule are not the minimums, under which no Line must go down. What however the character of the schedule may be, it cannot supersede paragraph *b* of the Commentary to Article 11 which fixes the lowest gross rate at £5—.

12279

I leave it in first instance to the American & Dominion Lines, what further measures they propose to adjust their position and eventually Lines would be entitled to take recourse to Article 11b.

Respectfully,

(Stamped): North Atlantic, Passenger Conference.
Received 15/7/1909. Ackn'd....1909. Answered....1909.

12280

Defendants' Exhibit 139.

G. No. 526.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 13th, 1909.

To the Parties:

North West Transport Line. (G. No. 522.)

12281

S. S. "Vulturno" sailed from New York July 10th with 212 steeragers against "Kroonland" with 752 steeragers. The rate for the "Raglan Castle" June 26th which was originally \$23—then on 21st, \$21—and on 23rd \$19—with \$3 to 5 commission. No doubt the terms for "Vulturno" will have been similar, certainly not better. What the rate for the "Kroonland" has been I am not informed of yet. The "Vulturno" as far as numbers are concerned, has fought her way with good success.

Respectfully,

12282

<i>Previous sailings</i>		<i>Steeragers</i>
"Vulturno"	February 27th.....	13
"Raglan Castle"	March 27th.....	35
"Vulturno"	April 10th.....	42
"Uranium"	" 24th.....	95
"Raglan Castle"	May 12th.....	128
"Vulturno"	" 25th.....	72
"Uranium"	June 9th.....	147
"Raglan Castle"	" 26th.....	160
"Vulturno"	July 10th.....	212

—
904
—

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 15 Jul 1909. Ansd.

Defendants' Exhibit 140.

12283

G. No. 527.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 16th, 1909.

To the Parties:

North West Transport Line. (G. 522, 526.)

The Red Star Line report the following passengers
 from the Universal Reisebureau, Vienna, passing Ant-
 werp on their way to Rotterdam on

12284

July	3rd	23	passengers
"	4th	18	"
"	7th	47	"
"	8th	42	"
"	10th	12	"
"	12th	14	"

Total 156 passengers.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept. 12285
 Recd. 19 Jul 1909. Ansd.

12286

Petitioner's Exhibit 1385.*G. No. 528.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 19th, 1909.

To the Parties:

12287 *American & Dominion Lines' Minus. (G. No. 525.)*

On this subject the following communications have
 been received from:

Anchor Line:

"* * * We some weeks ago drew attention to the large minus the Companies named were piling up and wrote the British Conference Secretary, Liverpool, on the subject. The American Line reduced rate from some continental ports to a small extent, but the 'measure' was not drastic enough. The Dominion Line then made no move.

12288

"Article 11 of 'AA' agreement is advisory only. Where practicable rates of other Cos. should be advanced, but the article pointed out by the words 'whenever practicable' that this course may not always be prudent or possible.

"Your remarks at the end of your letter sum up the situation in our opinion & the two lines named should long ago have reduced their Continental & other rates to as near £5 as possible."

White Star-Dominion Canadian Service:

"With regard to your reference to the fact that the Scandinavian rates scheduled in Agreement C.C. are lower than those previously scheduled at London on February 5th, 1908, as per schedule of May 1, 1907, under Appendix 1 to Agreement AA, that is explained by the fact that the rates of May 1, 1907, included Head Tax, and at the time that it was decided that Head Tax should be charged separately, and in addition to the normal Agreement rates, the latter were altered, as per Agreement CC., and they now take the place of those in the Schedule of May 1, 1907, referred to, and, as you say, must be regarded as the minimums within the meaning of Appendix 1 to AA.

12290

"With regard to the Cunard Line's remark that the reduction might have been made to apply to British & Scandinavian Westbound rates, it would appear the Cunard Line have overlooked the fact that the minimums agreed under Appendix 1 are binding on all lines, including those who are outside of the operation of the Westbound Pool so far as regards British and Scandinavian business.

12291

"Regarding your reference to Commentary (b) to Article 11, this cannot override the agreement minimums referred to.

"The measures already taken have apparently altered the American Line's position according to the Weekly Statistics of 7th July, and if we find the measures recently taken are inadequate so far as Dominion Line is concerned, we will consider further reduction in Continental rates."

12292

Petitioner's Exhibit 1385

In the meantime I have been informed that the American Line, Southampton, have reduced their British westbound rate by 5/ prepaid \$1.25. In view of the small share of the American Line's Southampton service in British business it is to be expected that this reduction is not sufficient to bring about the desired result. (Min. 2.)

12293

The views of the British Lines on the character of the Schedule apparently do not agree. I find nowhere that they are to be considered as *minimums* and Art. 6 a of Agreement CC. contains nothing from which might be concluded, that amendments of the schedule made for pool adjustment purposes can only be made by advancing. A schedule is in itself quite inconsistent with the pooling arrangements.

I would ask the rest of the Lines what positions they take with regard to the opinion expressed by the White Star-Dominion Line and further if they will await the result of the American Line's action.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 21—Jul 1909 Ansd.

12294

Petitioner's Exhibit 1386.

12295

G. No. 529.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 20th 1909.

To the Parties:

N. W. T. L. & Lozantcheff freres, Monastir.
(G. No. 518.)

With reference to G. No. 518 the Cunard Line
 write:

12296

"Answering the second paragraph of your letter of July 7th on the above matter, we would call your attention to your G. No. 408 of the 7th April, concerning 12 passengers, alleged to have been booked by Christoff of Monastir for the Northwest Transport Line. As already mentioned, on investigation we found that the passengers in question were not booked by Christoff. As a matter of fact, they were booked by Messrs. Lozantcheff Freres, and it is because we find that these Agents, acting for the Northwest Transport Line, are still working in conjunction with Agents of the Conference Lines, that we suggest you might wish to take the matter up."

12297

I have not heard anything yet from the Lines which are in connection with Messrs. Zwilchenbart (Transat) & Kaiser & Co. (American Line) if these firms have forwarded the passengers in question for the N. W. T. L. or if not, for which other Line.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd 22 Jul 1909 Ansd.

12298

Defendants' Exhibit 141.*G. No. 530.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 21st 1909.

To the Parties:

12299

North West Transport Line. (G. 527.)

In pursuance to G. No. 527 the Red Star Line re-
 port the following passengers

from Universal Reisebureau for Atlantic Express

July 13th	21	passengers
15th	65	"
16th	24	"
18th	34	"
	<hr/>	
	144	"
G. No. 527	156	"
	<hr/>	

12300

Total: 300 passengers

The parties were informed, that the "Raglan Castle"
 left Rotterdam on the 19th instant with 385 steeragers,
 of which 92 for Halifax and with 17 cabin passengers.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 23 Jul 1909 Ansd.

Petitioner's Exhibit 1387.

12301

G. No. 531.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 22nd 1909.

To the Parties:

North West Transport Line. (G. No. 527.)

"Voluturno" July 10th eastbound. Advertised rate was \$25 less \$3 and up to \$5 commission is paid extra (thus making a total commission up to \$8). The appointed opposition steamer was "Kroonland," Rate \$24.— Commission \$2. Circulars issued 7th. On 8th "Voluturno" reduced to \$23.— As known (G. No. 526) "Voluturno" got 212 steeragers which include 70 children and infants. She had also 18 cabin passengers & 31 deported aliens.

The next steamer "Uranium" is advertised to sail July 24th.

Steorage Rates

to Rotterdam	\$ 25.—
" Hamburg	" 28.—
" Bremen	" 27.—
" Antwerp	" 26.—
" Libau	" 33.—

12303

Commission \$3.

No information yet about fighting steamer.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept
 Recd. 24 Jul 1909 Ansd.

12304

Petitioner's Exhibit 1388.*G. No. 532.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 22nd 1909.

To the Parties:

12305

North West Transport Line. (G. No. 531.)

The Holland American Line wish me to promulgate the following letter of their New York office of 9th instant:

12306

"S.S. 'Voluturno' is scheduled to leave tomorrow and S.S. 'Kroonland' of the Red Star Line has been selected by the 'Small Committee' as the fighting ship, with a rate of \$24 less \$2 commission. The rate up to the 7th inst. for the S.S. 'Voluturno' was \$25 less \$3 commission, after said date was reduced to \$23 less \$3 commission, with perhaps as previously an unofficial extra commission of from \$2 to \$3. The 'Small Committee' did not consider it necessary to make any further reductions for the Red Star Line and we greatly regret that the same tactics which were used previously, namely, the paying of an extra commission where it is deemed necessary cannot be adopted any more under the provisions of the Agreements. We learned from an unofficial source that S.S. 'Voluturno' will have between 150 and 200 passengers tomorrow."

Petitioner's Exhibit 1388

12307

Since the Small Committee was stopped in following the steps of the North West Transport Line, the latter is making more headway. If the letter of the Holland America office expresses the general feeling of the New York representatives, the Lines will perhaps reconsider the proposal of the Small Committee as per G. 486. Minute 22a provides for the opposition steamer the same or a lower rate than the outside steamer. I think it is meant "net" rate, as otherwise by the higher commission of the competition in effect there is neither the "same" nor a "lower rate;" the simple reduction of the gross rates seems to be only half a measure and this I do not think is intended by such an important paragraph as Minute 22.

12308

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 27 July 1909. Ansd. 28 Jul.

12309

12310

Petitioner's Exhibit 1389.*G. No. 533.*

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, July 24th, 1909.

To the Parties:

Harry Cohen, Bremen.

I received today the following letter from Lloyd:

12311

"Enclosed we beg to hand you copy of a circular issued by Mr. Harry Cohen of this city, which in our opinion constitutes a very serious infraction of Article 16 Agreement A.A. We expect that the British Lines will cause Mr. Cohen to at once withdraw this circular, and also call his attention to the possible consequences of his action."

The passage in the polish circular referred to reads translated:

12312

"They are English Express steamers which cross the Ocean in but 5 to 6 days, the largest in the world and therefore absolutely safe. They who undertake such a wide voyage, should not risk their life and consequently they should go by an English steamer.

"Because on the English vessels the majority of the travelling public are English who are accustomed to better accommodation and better boarding therefore, answering the requirements of the English public, there has been fitted up on our vessels the third class. People are not impelled in an immense compartment, but everybody is accommodated in a cabin with 2. 4. most 6 berths where they

Petitioner's Exhibit 1390

12313

have fresh air during the whole voyage and do not fall sea sick. In this respect our third class is the same as on many vessels the second class."

Respectfully,

Petitioner's Exhibit 1390.

G. No. 534.

ATLANTIC CONFERENCE.

12314

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, July 26th, 1909.

To the Parties:

Union Ticket Office. (G. No. 524.)

In pursuance to the communication of the Red Star Line as per G. No. 524 the latter write:

12315

"(Translated) On 20th inst. there arrived here again 6 passengers from the disqualified Tourist Office 'Vaterland' who were forwarded by the Universal Reisebureau Vienna for the Anchor Line to the Union ticket Antwerp. The passengers were Galicians."

Will the Anchor Line please inform me what they have to say to these repeated instances where the Union Ticket Office is in connection with a disqualified firm?

Respectfully,

12316

Petitioner's Exhibit 1391.*G. No. 535.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 26th, 1909.

To the Parties:

12317

American & Dominion Lines' Minus. (G. No. 528.)

With reference to G. No. 528,
 White Star Dominion Canadian Service write:

12318

"With regard to Anchor Line's remarks, since their letter was written, not only has the Dominion Line reduced its westbound Continental rates by Marks 10, which step the Philadelphia service of the American Line had already taken, but the American Line at Southampton, as you point out, has reduced its British rates to the normal minimum and has, furthermore, reduced Continental rates by Marks 20 from Rotterdam, Antwerp, Bremen and Hamburg.

"We hope and expect these measures will produce the desired increase in our carryings.

"With regard to your remark that nowhere are the British and Scandinavian rates scheduled to be considered as minimums and that Article 6 of Agreement CC, contains nothing from which might be concluded that amendments of the schedule made for Pool purposes can only be made by advancing,—we do not think it will be contended that the British and

Scandinavian rates scheduled were intended to be regarded otherwise than as minimums just as are all other rates scheduled in the other agreements. If that were not so, the Lines not parties to the westbound pool, who are absolutely unrestricted regarding the amount of westbound traffic they may carry, would be also unrestricted in the matter of rates and could put same down to any figure they considered necessary to command as much of the traffic as they want.

"Article 6 of Agreement C C refers only to Scandinavian traffic, but in any case, in our opinion, there is nothing in that which overrides the principle laid down in Commentary to Article 11 of AA."

12320

In connection with the matter in question is the following letter from Lloyd:

"With reference to Circular Letter G, No. 528 we think the Continental Lines are entitled to ask the British Lines for an authentic explanation regarding the nature of the rate agreement referred to for British and Scandinavian business. Our opinion always has been that the rates mentioned in the Schedule of May 1st, 1907, and its amendments, were not to be considered as absolute minimums. Article 6 Agreement C. C. seems to confirm this view while there is certainly nothing in §2 of the Appendix 1 to Agreement A. A. to contradict it. However as a reduction in the rates agreed upon (even if applying to only one line or class of steamers) would entitle the Lines who are not parties to Agreement A. A. for westbound business, to reduce their rates by a corresponding amount and thereby increase

12321

12322

Petitioner's Exhibit 1391

their differentials against the other Conference steamers, it may not be advisable to reduce rates below the agreed schedule except in case of absolute necessity. We shall be glad to hear if this interpretation is correct. In any case we must take exception against the view expressed by the White Star and Dominion Lines that clause 2 of the Appendix 1 to Agreement A. A. overrides §2 of the Commentary to Art. 11 of the Main contract."

Respectfully,

12323

12324

Defendants' Exhibit 142.

12325

G. No. 536.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 27th, 1909.

To the Parties:

Compensation S. S. "Oceanic" June 9th, 1909.
(G. No. 495.)

12326

The White Star Line send me bill for 280 adults, 24 childr. 13 infants=292 adult passengers which were carried in competition against the "Uranium" to Hamburg by the "Oceanic" on June 9th from New York as per G. 495; the rate charged for them has been 25, so that in accordance with Minute 22 there is a compensation of \$5 per adult = \$1460, to be paid to the White Star Line.

The percentages over which the amount is to be distributed are to be calculated as follows: Transat by agreement with the N. D. L. V. since June 1st participate with a percentage of 10.05% in the eastbound business of the N. D. L. V. Lines; the remaining 89.95% of the N. D. L. V. Lines are equal to 45.80% of the 4 N. D. L. V. Lines under Agreement A. A., so that Transats share under Agreement A.A. is $45.80 \times 10.05 : 8995 = 5.12\%$; the total of percentages is therefore 105.12% which reduced to 100 percent gives the following percentages.

12327

Allan Line	4.71%
Anchor Line	3.74%
Cunard Line	14.38%

12328

Defendants' Exhibit 142

Hapag	11.75%
Nasm	5.80%
Lloyd	17.87%
Red Star Line	8.14%
White Star Line	14.74%
American Line	8.30%
Dominion Line	1.43%
Canpac	4.27%
Transat	4.87%

 100.00

12329

Austro's share is 4% of the 4 N. D. L. V Lines, the remaining 96% of the N. D. L. V. Lines are equal to 43.56% of the above percentages of the N. D. L. V. Lines so that Austro's share is 1.82%. The Total of the percentages of 101.82% reduced to 100 shows the following percentages:

Allan Line	4.63%
Anchor Line	3.67%
Cunard Line	14.12%
Hapag	11.54%
Nasm	5.70%
Lloyd	17.55%
Red Star Line	7.99%
White Star Line	14.48%
American Line	8.15%
Dominion Line	1.41%
Canpac	4.19%
Transat	4.78%
Austro	1.79%

 100.00

12330

In accordance with Article 24 of Agreement B.B. the Russian American Line participate with 3% in

Defendants' Exhibit 142

12331

the A. C. percentages which is $(93.43 \times 3 : 97) = 2.80\%$ of the A. C. Lines inclusive of Transat and Austro; the total of the percentages of 102.80% reduced to 100% shows the following results:

Allan Line	4.50%	
Anchor Line	3.57%	
Cunard Line	13.74%	
Hapag	11.23%	
Nasm	5.54%	
Lloyd	17.07%	
Red Star Line	7.77%	
White Star Line	14.09%	12332
American Line	7.93%	
Dominion Line	1.37%	
Canpac	4.08%	
Transat	4.65%	
Austro	1.74%	
Russ. America Line	2.72%	
<hr/>		
100.00%		

As the share of the Allan Line is to be borne by the other Lines in proportion to their shares the above percentages change now as follows:

		Amount due to White Star Line	12333
Anchor Line	3.74%	\$ 54.61	
Cunard Line	14.39%	210.10	
Hapag	11.76%	171.70	
Nasm	5.80%	84.68	
Lloyd	17.87%	260.90	
Red Star Line	8.14%	118.84	
White Star Line	14.75%	215.35	
American Line	8.30%	121.18	
Dominion Line	1.44%	21.02	

12334

Defendants' Exhibit 142

Canpac	4.27%	62.34
Transat	4.87%	71.10
Austro	1.82%	26.57
Russ. America Line	2.85%	41.62
	<hr/>	<hr/>
	100.00	\$1460.00
	<hr/>	<hr/>

I beg to request the parties to remit the above amounts to the White Star Line, Southampton. The bill is subject to my verifying it.

Respectfully,

12335

(Stamped): North Atlantic, Passenger Conference.

Recd. 29 Jul. 1909. Ackd. Ansd.

12336

Defendants' Exhibit 143.

12337

G. No. 537.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, July 27th, 1900.

To the Parties:

North West Transport Line. (G. No. 532.)

12338

S.S. Volturmo from Newyork on 10th instant arrived at Hoek van Holland on the 23rd inst., where the 350 passengers were landed in the usual way on the morning of the 24th; she proceeded at once to Hamburg. In accordance with a telegram of the Hamburg American Line she has been arrested there on account of a claim of the Hamburg coal purveyors of 10,000 Marks; so far there are no news that she has been released.

S.S. Uranium left Newyork on the 24th instant with 195 steeragers and 30 cabin passengers.

Respectfully,

12339

12340

Petitioner's Exhibit 1392.*G. No. 538.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 28th, 1909.

To the Parties:

12341

Agreement CC. (G. No. 515)

The Scandinavian American Line write:

"In accordance with your circular G. No. 515 we have sent payments to the different Lines, who in turn have acknowledged receipt.

"The Allan Line, however, sends us the following message, dated July 21st:

" 'We beg to state that this payment is accepted provisionally and without prejudice to the position we have taken up as regards the terms of the *proposed agreement* between your Company and the atlantic conference lines.'

12342

"and the Canadian Pacific R. R. Co. in a letter dated July 22nd writes as follows:

" 'In sending you the enclosed receipt for the £151.— sent by you to effect the adjustment indicated in Secretary Peters' circular G. No. 515, please note, that the acceptance of this Check is without prejudice to our outstanding contentions, and is contingent upon the satisfactory conclusion and signature of the agreement in question.'

"This is the first intimation we have received that the agreement C.C.—as concluded between the conference lines and our company—has not been actually completed, and that the Allan Line still maintain it to be a *proposed agreement*, while the Canadian Pacific Co. intimates that the agreement is not subscribed to by them.

"The Gentlemen, who acted as a Committee on behalf of the conference lines, and who declared to possess full authority to deal with our company and to subscribe on behalf of the conference lines, have not informed us about any difficulties, that have arisen, neither has the Secretary at Liverpool given us any information thereof.

12344

"In consequence thereof we consider all the transactions that have taken place between our company and your goodselves on behalf of the Atlantic Conference Lines after June 1st this year, as having been premature and void, as they should certainly not have been put in force, as long as any of the parties to the agreement refused to accept the conditions as agreed to by the committee.

"We shall also feel at liberty to be relieved at once of the obligations assumed by agreement C.C. until such date when the lines mentioned in the agreement have subscribed to same, and announced their willingness to let agreement C.C. become operative.

12345

"Kindly notify the lines accordingly and inform them that we expect refund of the amounts remitted as adjustment payments for the month of June because they were made premature and before agreement C.C. could come into operation by all parties.

Petitioner's Exhibit 1392

12346

"We have wired the two Canadian Lines to remit the amounts already sent, and shall request you to make necessary arrangements with the remaining conference lines.

"We shall abide your information about when we may expect agreement CC. to be completed and signed & in full readiness for coming into operation."

12347

I am sorry to learn that there are still obstacles to the completion of agreement CC., of which when ordering the payments I had no knowledge. Under the circumstances I have to ask the parties to comply with the wishes of the Scandinavian American Line and to return the amounts paid to them as per G. 515; at the same time I shall be glad to be informed, as soon as the agreement has been completed.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 30 Jul. 1909. Ansd.

12348

Defendants' Exhibit 144.

12349

G. No. 539.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, July 28th, 1909.

To the Parties:

North West Transport Line. (G. No. 530.)

Of the 384 passengers which left Rotterdam on
the 19th instant by the "Raglan Castle" were:

12350

	for Newyork	for Halifax	Total
Russian	253	12	265
Hungarians	23	—	23
Austrians	23	10	33
Italians	1	—	1
Germans	3	—	3
Bulgarians	—	2	2
From England	6	51	57
	—	—	—
	309	75	384

Of the passengers from England 6 were Jews with
London and Liverpool as last residence; the 57 pas-
sengers for Halifax were Armenians who had come
to Liverpool.

12351

I received cable from Newyork that the Uranium
24th instant from Newyork had 153 steeragers, the
Vaterland which sailed in competiton 747.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
Recd. 30 Jul. 1909. Ansd.

12352

Petitioner's Exhibit 1393.*G. No. 540.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 30th, 1909.

To the Parties:

12353

North West Transport Line. (G. 537)

Further to G. No. 539 I beg to inform that the rate at which was booked for the Uranium has officially been \$25.— less \$3; extra as usual; the Vaterland had been fixed at \$24.— less \$2.—; the latter rate was advertised on 21st instant.

In order to ascertain what effect this plan of action has on the traffic the Small Committee suggests and recommends that no competition be fixed against the next sailing of the N. W. T. L. This would test the situation to see how effectively the present methods of competition work.

If the parties deem a fighting steamer necessary
 12354 they will please inform me by wire.

Respectfully,

H. PETERS,
 p. Rep.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 2 Aug. 1909. Ansd.

Defendants' Exhibit 145.

12355

G. No. 541.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 31st, 1909.

To the Parties:

Union Ticket Office. (G. No. 534).

12356

In reply to G. 534 the Anchor Line write:

"* * * the Anchor Line did not assent to the disqualification of 'Vaterland' Rotterdam, and that at the last Paris meeting the disqualification was not ratified. The matter was sent back to the Liverpool Conference for future action.

"We may say, however, that this Line has had no business dealings with the Vaterland, Rotterdam for months & this applies to all its agents. Passengers from the San Rafael Society at Krakau may hold cards with 'Vaterland' on them but these people have no connection with Onischcavish at Rotterdam but are shipped from Antwerp.

12357

"We intend to continue receiving passengers from the San Rafael Society at Krakau."

Respectfully,

12358

Petitioner's Exhibit 1394.*G. No. 542.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, July 31st, 1909.

To the Parties:

12359

*N. W. T. L. Lozantcheff Freres. Monastir. (G. No.
 529)*

In pursuance to G. 529 the American Line, Southampton inform me of the following reply of their Basle agents Messrs. Kaiser & Co.:

"We thank you for informing us that Lozantcheff Freres of Monastir are dealing with the North West Transport Line. Now we know this we will have no further dealings with them. The last passengers we had from them were for the 'Adriatic' April 18th, since then we have heard no more of them."

12360

Transat has the information from Messrs. Zwilchenbart of Basle, that they have not transited passengers of Lozantcheff Freres, Monastir.

If the Cunard Line are sure that the passengers mentioned in G. 518 and 529 from Lozantcheff Freres were booked for the N. W. T. L. the Red Star Line propose to disqualify them.

Will the Lines please say whether they agree.

Respectfully,

Defendants' Exhibit 146.

12361

G. No. 543.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 2nd, 1909.

To the Parties:

North West Transport Line. (G. No. 539.)

From July 19th to July 29th there passed through
 Antwerp for the North West Transport Line 123/1
 7/2 12362

No news yet that S.S. "Vultorno" is released.

Respectfully,

P. S. According to telegram from Holland America
 Line "Vultorno" sailed Saturday night from Rotter-
 dam with ten passengers in cabin and 248 in steer-
 age of which 71 for Halifax.

On July 30th I wired: "Americano wires: Rumors
 afloat here which New York considers probably cor-
 rect although no confirmation obtainable that Raglan
 Castle did not pass examination American Steamboat
 Inspection same consequently withdrawn from service 12363
 Napolitan Prince chartered will take her place August
 7th from New York."

Hapag having applied to New York for further
 information has received the following reply: "Steam-
 boat inspectors advise Raglan Castle's inspection cer-
 tificate only expires August 20th, therefore cannot
 affect her sailing August seventh."

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 4 Aug. 1909. Ansd.

12364

Petitioner's Exhibit 1395.*G. No. 544.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 2nd, 1909.

To the Parties:

Compensation to "Oceanic." (G. No. 536)

The Anchor Line write:

12365

"We note with some surprise that the share of the 'Allan' Line has to be borne by all the other Companies in the various agreements, according to their percentages. Of course we are aware that Messrs. Allan gave notice that they would not be parties to any further compensation basis but this was when the Lines were fighting New York and Continental Line. Does their notice equally apply to the opposition Line now running *i. e.* the North West Transport Line? We do not think that Messrs. Allan will care to continue the benefit from the fighting efforts of their colleagues in the Eastbound Agreements and not pay their percentage share of compensation."

12363

If the Allan Line will inform me that notwithstanding Minute 104 they will bear what would be their share in the compensation for the fighting steamers I will on next opportunity make out the account accordingly.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 4 Aug. 1909. Ansd.

Petitioner's Exhibit 1396.

12367

G. No. 545.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 3rd, 1909.

To the Parties:

North West Transport Line. (G. No. 543)

With reference to the suggestion & recommendation of the Small Committee that no competition be fixed against the next sailing of the N. W. T. L. (G. No. 540) the following replies have been received from:

12368

1) Americano:

"Strongly object to any such test if result should be favourable to competition such test would do more harm than cost of compensation to fighting line."

2) Hapag:

"Regarding G 540 of same opinion as Americano."

3) Transat:

"Agree with proposal small committee suppression fighting steamer."

12369

In view of minute 104, Minute 22 cannot be cancelled, wholly or partially, except by unanimity and Minute 22b reads: "Opposition steamers to be put on the berth against the steamers etc.

I therefore wired the parties:

4) "G. 540. In view of opposition of Holland and Hamburg Lines I cable opposition steamer must be appointed."

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 5 Aug. 1909. Ansd.

12370

Defendants' Exhibit 147.*G. No. 546.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, August 6th, 1909.

To the Parties:

North West Transport Line.

12371

The Holland America Line wire that S.S. "Uranium" (from Newyork, July 24th) upon her arrival yesterday at Hoek van Holland has been arrested for £1500, claim of the Rotterdam Dry-Dock Co.

Respectfully.

12372

Defendants' Exhibit 148.

12373

G. No. 547.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 9th, 1909.

To the Parties:

North West Transport Line. (G. No. 546)

12374

Of the 248 steeragers which left Rotterdam on July
 31st by S.S. "Voluturno" were:

	for U. S. A.	for Canada	Total	
from Russia	171	13	184	
" Hungaria	6	1	7	
" Austria	4	—	4	
" Italy	1	—	1	
" Germany	—	—	—	
" Roumania	1	—	1	
" Belgium	1	—	1	
" England	2	48	50	12375
	—	—	—	
	186	62	248	
	—	—	—	

Of the 50 steeragers from England 49 came from
 Liverpool as their last residence; according to their
 names I judge them all to be Armenians.

Respectfully,

S.S. "Uranium" which according to G. No. 546
 was arrested at Rotterdam for £1500, claim of the
 Rotterdam Dry-Dock Co., has been released Satur-
 day last.

12376

Petitioner's Exhibit 1397.*G. No. 548.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 9th, 1909.

To the Parties:

Cruise Business.

12377

The White Star Line write:

"We have to refer to the Arbitrator's decision of 14th January last with regard to the payment of commission to Agents in America on cruise business when the Arbitrator ruled that Mediterranean cruises were subject to the rules and regulations of the 1st class rate agreement owing to there being nothing in that agreement to the contrary.

12378

"We beg to submit that when the agreements V, W and X were concluded the question of Cruise business was not in the minds of any of the representatives present, and it was never intended that these minimum rate agreements should apply to bona fide Cruises by which the Passengers pay an inclusive fare to cover not only the Ocean voyage, but also all necessary shore expenses for Hotel accommodation and sight seeing (guides, drives, rides and rail journeys, etc.).

"The tendency must be, if this position is maintained with regard to Cruise traffic, to strengthen the hands of outside organizers, who

Petitioner's Exhibit 1397

12379

have greater freedom of action, and to throw the business very largely into their control, to the detriment of the Steamship Companies, which is surely contrary to the spirit of the Agreements.

"Experience shows that the passengers who book for Cruises are of a different class to the usual Mediterranean Atlantic passengers, and only leave home when their travel arrangements are fully covered, as provided for by the inclusive Cruise fares.

"We therefore have to request that you will circulate this letter promptly, in order that the assent of the parties to Agreements V & X may be obtained to the understanding that passenger bookings for bona fide Cruises which, as before stated, are at rates which include shore excursions, sight seeing, etc., and are always arranged for steamers making special voyages upon an itinerary covering numerous ports quite outside the ordinary trading area, are not subject to the restrictions of the Agreements in question."

12380

The Parties will please let me have their replies.

Respectfully,

12381

12382

Defendants' Exhibit 149.*G. No. 549.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 10th, 1909.

To the Parties:

Monthly Statements for July.

12383

According to the Summary of Monthly Adjustment-Statements & Account Current for the month of July (Form 30, No. 7), I beg to request the following payments to be made:

Anchor Line to Continental Lines	£ 1003.
Anchor Line to Allan Line	286.
Anchor Line to American Line	64.
Dominion Line to American Line	1041.
Cunard Line to White Star Line	547.
Cunard Line to Canadian Pacific Ry. Co.	516.
Cunard Line to American Line	440.
12384 Donaldson Line to American Line	148.

Respectfully,

(Stamped): North Atlantic Passenger Conference.

Received 12/8 1909 Acknl'd 1909

Answered 1909.

Defendant's Exhibit 150.

12385

G. No. 550.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 10th, 1909.

To the Parties:

Payments to and from the Russ. East Asiatic S. S. Co.

According to Form 35, No. 7, the following payments are to be made for the month of July:

Russian East Asiatic SS. Co. to Continental Lines	£ 2254	12386
Russian East Asiatic SS. Co. to Allan Line	" 58.	
Russian East Asiatic SS. Co. to Anchor Line	" 135.	
Russian East Asiatic SS. Co. to American Line	" 271.	
Russian East Asiatic SS. Co. to Dominion Line	" 147.	
Russian East Asiatic SS. Co. to White Star Line	" 384.	
Russian East Asiatic SS. Co. to Cunard Line	" 536.	
Russian East Asiatic SS. Co. to Canadian Pacific Ry. Co.	" 35.	12387
	<hr/> £ 3820. <hr/>	

The Russian East Asiatic S. S. Co. will please send their check for the Continental Lines to me but those for the British Lines direct to the respective Parties.

Respectfully,

(Stamped): North Atlantic Passenger Conference.

Received 12/8 1909 Acknl'd 1909

Answered 1909

12388

Petitioner's Exhibit 1398.*G. No. 551.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 12th, 1909.

To the Parties:

12389

Agreement V, Eastbound Seasons.

The White Star Line write:

"Referring to Appendix 2, Agreement "V," we beg to propose that the Eastbound season for the full Summer schedule shall be altered to read "May 1st to July 31st," to meet the present day conditions, the travel Eastbound being now considerably later than used to be the case.

"As this change could not become effective before next year, kindly put this proposal on the Agenda for discussion at the next A. C. Meeting."

12390

The proposal will be put on the Agenda for discussion at the next A. C. Meeting.

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 14 Aug. 1909. Ansd.

Defendants' Exhibit 151.

12391

G. No. 552.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, August 12th, 1909.

To the Parties:

North West Transport Line. (G. No. 547)

12392

The Holland America Line inform me that S.S.
"Raglan Castle" left New York on August 10th with
10 Cabin passengers and 215 steeragers.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 14 Aug 1909 Ansd.

12393

12394

Defendants' Exhibit 152.*G. No. 553.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 14th, 1909.

To the Parties to Agreement V:

Through booked passengers.

12395

Transat write:

"Nous avons bien reçu votre lettre du 9 Ct au sujet des prix publiés à La Havane par la Holland-Amerika Linie et nous pensons que cette question intéresse toutes les compagnies signataires des accords V et W. Nous la résumons donc ci-après:

"D'après une coupure de journal que nous vous avons envoyée, la Holland Amerika Linie offre des passages de 1^{re} classe de la Havane à Paris via New York et Boulogne s/mer au prix de \$ 123. Si nous décomposons le prix du voyage, nous trouvons:

12396

de la Havane à New York par la Ward Line		Dollar	45
de New York à Boulogne s/mer prix minimum du "Potsdam," "Noor- dam," etc.	£ 16.10	"	82.50
Chemin de fer Boulogne- Paris	Fr. 28.55	"	5.70
		Dollar	133.20

"Nous avons demandé à la Ward Line de nous faire la même concession que celle qu'elle accordait à la Holland-Amerika Linie, et elle nous a consenti une diminution de Dollar 5 affirmant que nous serions ainsi exactement sur le même pied que la Nasm. En demandant cette concession, nous savions très bien être en opposition avec l'article 7 de l'agreement V ainsi conçu :

" 'Through booked passengers must pay in addition to the Ocean fare the actual official tariff rate of the transportation companies by which the transportation takes place.' "

12398

"Mais nous désirions savoir comment la compagnie Hollandaise pouvait obtenir le prix de Dollar 123. La réponse de cette compagnie, que vous nous avez transmise comme suit :

" 'Wir können auf die Entgegnung der Transatlantique nur antworten, dass die im Agreement V festgesetzte Minimalrate genau von uns innegehalten wird. Jeder der will, kann sich davon überzeugen.' "

"ne nous donne pas satisfaction, car nous ne pouvons pas savoir ce qu'elle recoit et nous ne voyons que l'annonce parue dans les journaux de La Havane. Nous sommes tout disposés à croire qu'elle encaisse bien la part qui doit lui revenir d'après l'agreement V. mais nous sommes en droit de lui demander comment son agent peut afficher le prix de Dollar 123.

12399

"Comme cette question nous intéresse tout particulièrement, puisque l'annonce ne vise exclusivement que Paris, nous prions la Holland-Amerika Linie de bien vouloir nous renseigner. Si elle obtient Dollar 10 de diminution de la

12400

Defendants' Exhibit 152

Ward Line, toutes les compagnies doivent être traitées de la même façon, ou sans cela l'article 7 précité doit être appliqué et le prix du passage La Havane-Paris par 'Potsdam,' etc., doit être indiqué comme coûtant Dollar 133.20."

To the foregoing letter I may add that the Holland America Line furnished me proof that they get their minimum rate.

12401

A similar case was brought before me October last. The Hamburg American Line reported that a passenger had paid £ 21 for his through ticket from Kingston to New York by Royal Mail steamer & from New York to Liverpool by "Lucania." The minimum rate for the "Lucania" being £ 20.10 there was only 10sh left for Kingston-New York instead of the official tariff rate of £ 9. The Cunard Line upon being asked for an explanation of the through rate replied that they had received the full minimum fare for passage from New York to Liverpool, and when further the Hamburg American Line pointed to that through rate involving a deviation from clause 7 of Agreement V the Cunard Line asked in what way they had deviated from the Agreement.

12402

Respectfully,

Petitioner's Exhibit 1399.

12403

*G. No. 554.***ATLANTIC CONFERENCE.**

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, August 16th, 1909.

To the Parties:

North West Transport Line. (G. No. 552)

12404

S.S. "Raglan Castle," left New York on August 10th with 224 steeragers. Her rate was \$25, less \$3, official commission. The appointed opposition steamer was S.S. "Rotterdam" and her rate was fixed at \$24, less \$2 commission.

Respectfully,

12405

12406

Petitioner's Exhibit 1400.*G. No. 555.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 16th, 1909.

To the Parties:

12407

Minimum rates for British & Scandinavian business.
(G. 528)

The American Line and the White Star-Dominion
 Line, Canadian Service write:

"Referring to your G. 525, 528 and 535 and to the difference of opinion regarding the minimum rates for the British & Scandinavian Business within the meaning of Appendix 1 to A.A., we will be glad if you will put this question on the Agenda for the A. C. Meeting in October, as we think the point a very important one."

12408

The question will be put on the Agenda of the next
 A. C. Meeting.

Respectfully,

Defendants' Exhibit 153.

12409

G. No. 556.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, August 16th, 1900.

To the Parties:

North West Transport Line. (G. 554)

12410

The Hamburg American Line wire:

"According to reliable information the North West Transport Line bought the turbine steamers 'Heliopolis' and 'Cairo.' It seems that they also go in for the 'Kaiser Friedrich.' All negotiations are conducted by Mr. Hanna, Vice-president Canadian Northern. Menzel resigns the agency and Heinecke, Hamburg and von Pilis will be appointed agents of the Company."

Respectfully,

12411

12412

Petitioner's Exhibit 1339.*G. No. 557.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 19th, 1909.

To the Parties:

Compensation "Estonia" against "Vulturno" 24/5/09.
(G. No. 517)

12413

¹ With reference to G. No. 517, the parties who were of opinion that several items of the bill G. No. 499 were not within the terms of Minute 22, have now waived their objection under the special circumstances of the case & one line with the reserve that this must not be taken as a precedent.

12414

According to G. No. 499 the amount of compensation due to the Russian America Line for S.S. "Estonia" May 25th in opposition to S. S. "Vulturno" May 24th from New York is \$2017.70. The percentages over which the amount is to be distributed are as per G. No. 318 for the A. C. Lines 89.28%. The Russian America Line's share which is eastbound 3% of the A. C. Lines' and their own carrying, correspondingly is reduced to $89.28 \times 3 \div 97 = 2.76\%$. The remaining 97.24% distributed over the Lines as per G. No. 318 are therefore:

Allan	4.30%
Anchor	3.41%
Cunard	13.13%
Hapag	10.73%
Nasm	5.30%
Lloyd	16.31%
Red Star	7.43%
White Star	13.45%
American L.	7.56%

Petitioner's Exhibit 1339

12415

Dominion L.	1.30%
Canpac	3.90%
Transat	8.77%
Austro	1.65%
Rusamerika	2.76%

 100.00

According to Byelaw 104 the Allan Line's share of participation to be borne by the other Lines in proportion to the above shares. The percentages in which the different Lines participate in the compensation payment of \$2017.70 are therefore:

12416

		Amount due to the Russian America Line		
	%		\$	
Anchor	3.56		71.83	
Cunard	13.72		276.83	
Hapag	11.21		226.18	
Nasm	5.54		111.78	
Lloyd	17.04		343.82	
Red Star	7.76		156.57	
White Star	14.06		283.69	
American L.	7.90		159.40	12417
Dominion L.	1.36		27.44	
Canpac	4.08		82.32	
Transat	9.16		184.82	
Austro	1.73		34.91	
Rusamerika	2.88		58.11	
	100.00		\$2017.70	

I beg to request the Lines to pay the above amounts to the Russian America Line at Libau.

Respectfully,

(Stamped): North Atlantic Passenger Conference.

Recd. 21-8-1909 Acknld 1909 Ansd 1909.

12418

Defendants' Exhibit 154.

G. No. 558:

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, August 19th, 1909.

To the Parties:

Change in Rates.

12419

The Russian America Line advanced their east-bound steerage rate to Rotterdam to \$31, to Libau to \$38.

Repectfully,

12420

Petitioner's Exhibit 1401.

12421

G. No. 559.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 20th, 1909.

To the Parties:

P. Kapeller & Sons, Czernowitz.

I received the following letter from Cunard Line,
 17/8:

12422

"For your information you may say that we are advised that Messrs. P. Kapeller & Sons, Czernowitz, are in communication with the Universal Reisebureau for the forwarding of passengers to the Atlantic Express, Rotterdam presumably for the North West Transport Line. As both the firms in question are disqualified, you will no doubt arrange to take the matter up."

The Lines who might object to the disqualification of P. Kapeller & Sons, Czernowitz, will please say why. If no objections received until 31st inst. the disqualification is to be considered as agreed upon.

12423

Respectfully,

2424

Defendants' Exhibit 155.*G. No. 560.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 21st 1909

To the Parties:

North West Transport Line. (G. No. 556.)

425

Following is a comparison of the N. W. T. L.'s
 steerage traffic eastbound and westbound.

Westbound.

426

Sailing date from R'dam	Steamer	Steeragers		Total	rate netto
		to U. S. A.	to Canada		
2. Febr.	"Voturno"	180	101	281	M 100 to Canada
					" 120 " U. S. A. (incl. headtax)
2. March	"Raglan Castle"	364	181	545	— " —
20. "	"Voturno"	509	237	746	— " —
3. April	"Uranium"	212	240	452	— " —
19. "	"Raglan Castle"	108	141	249	M 120 to U.S.A. (headtax additional)
1. May	"Voturno"	154	232	386	— " —
15. "	"Uranium"	308	128	436	— " —
5. June	"Raglan Castle"	307	151	458	— " —
19. "	"Voturno"	253	66	319	— " —
3. July	"Uranium"	293	98	391	— " —
19. "	"Raglan Castle"	292	92	384	— " —
31. "	"Voturno"	177	71	248	— " —
Total:		3157	1738	4895	

Defendants' Exhibit 155

12437

Eastbound

Sailing Date from N. Y.	Steamer	Steeragers landed at R'dam	Official rates commission \$3 extra commission up to \$5	Fighting Steamers
27. Febry.	"Vulturno"	13	\$25.	—
27. March	"Raglan Castle"	35	"	—
10. April	"Vulturno"	42	"	—
24. "	"Uranium"	95	\$23.	—
12. May	"Raglan Castle"	128	"	—
25. "	"Vulturno"	72	"	"Estonia"
6. June	"Uranium"	147	\$22.	"Russia," "Oceanic"
26. "	"Raglan Castle"	160	\$19.	23 "Lituania," "Vaderland"
12. July	"Vulturno"	212	\$22.	"Kroonland"
24. "	"Uranium"	153	"	"Vaderland"
8. August	"Raglan Castle"	224	"	"Rotterdam"
Total:		1281		

1242

124

12430

*Defendants' Exhibit 155**Westbound*

N. W. T. L. Steeragers	A. C. Lines' Steeragers	Total Steeragers	N. W. T. L's. carrying in %
281	37434	37715	0.75
1291	56462	57753	2.24
701	39757	40458	1.73
822	51927	52749	1.56
777	35372	36149	2.15
1023	31148	32171	3.18
<hr/>	<hr/>	<hr/>	<hr/>
4895	252100	256995	1.90% average
<hr/>	<hr/>	<hr/>	<hr/>

Eastbound

February	13	8146	8159	0.16
March	35	12172	12207	0.29
April	137	12021	12158	0.68
May	200	19996	20196	0.99
June	307	21866	22173	1.38
July	365	18781	19146	1.91
Total	1057	92982	94039	1.12% average

12432

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd 23 Aug. 1909. Ansd.

Petitioner's Exhibit 1402.

12433

*G. No. 561.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 21st, 1909.

To the Parties:

*Compensation of S. S. "Lituania," June 23rd against
 S. S. "Raglan Castle," June 26th.
 Compensation of S. S. "Russia," June 5th against
 S. S. "Uranium," June 9th.*

12434

S. S. "Lituania" which was appointed by the Small Committee as fighting steamer against S. S. "Raglan Castle" June 26th left New York June 23rd with 551 steeragers. The rate was reduced by the Committee according to G. No. 505 to \$22. The regular rate of the Russian America Line was \$28. According to Minute 22 they are entitled to a compensation of \$6 for each adult passenger booked at the fighting rate of \$22.

The Russian America Line has sent me the following bill:

"As per agreement between the Small Committee and our agents, Messrs. A. E. Johnson & Co., at New York, the following outlays to be refunded the Russian America Line by the Atlantic Conference Lines:

12435

"Difference in rate, 478/1 - 54/2
 - 20/0 - 505/1 at \$6,

\$3030.

"Should there be any difference in the European Railway fare or any extra commission paid by our agents we reserve ourselves to revert to these items later on."

12436

Petitioner's Exhibit 1402

According to G. No. 508 the Lines have to pay the Russian America Line for their fighting steamer "Russia" June 5th against "Uranium" June 9th the amount of \$1655.

In summary the Rusamerika therefore have to receive:

for S. S. "Lituania"	\$3030.
" " "Russia"	1655.

Total	<u>\$4685.</u>
-------------	----------------

12437

The percentages over which the amount is to be distributed are the same as in G. No. 536, page 3.

Amount due to the Russian America Line.

	%	\$
Anchor Line	3.74	175.22
Cunard Line	14.39	674.17
Hapag	11.76	550.96
Nasm	5.80	271.73
Lloyd	17.87	837.21
Red Star Line	8.14	381.36
White Star Line	14.75	691.04*
American Line	8.30	388.85
12438 Dominion Line	1.44	67.46
Canpac	4.27	200.05
Transat	4.87	228.16
Austro	1.82	85.27
Rusamerika	2.85	133.52
	<u>100.00</u>	<u>4685.00</u>

The Lines will please remit the above amounts to the Russian America Line at Libau.

Respectfully,

H. PETERS.

*@ 4.88 = £141.12.2 pd. 30/8/09

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 23 Aug. 1909. Ansd.

Defendants' Exhibit 156.

12439

G. No. 562.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 21st, 1909.

To the Parties:

*Arbitration Allan Line & White Star Line (G. No.
 438).*

12440

The White Star Line send me for the information
 of the Lines following copies of correspondence re-
 garding the Allan Line and White Star-Dominion
 Canadian service from which it will be seen, that the
 case has now been disposed of.

Respectfully,

H. PETERS.

Copy.

150 St. Vincent Street, Glasgow.
 13th July, 1909.

Messrs. Hill, Dickinson & Co.,
 Solicitors,
 10 Water Street,
 Liverpool.

12441

Dear Sirs:

Arbitration Allan and White Star Lines.

We duly received your letter of the 21st ultimo,
 enclosing copy of the letter from the Secretary of
 the Dominion Line to the Secretary of the White

Defendants' Exhibit 156

12442

Star Line of date 30th January last, which we have shown to our clients. From that letter it appears that more than three months after the Allan Line complained of the advertisements and circulars being issued by the White Star Line announcing their new Canadian Service, and nearly two months after the Agreement was made to refer the present questions to arbitration, the White Star and Dominion Lines have made an arrangement between themselves for the transfer of one half of the Dominion Lines sailings in the Liverpool and Canadian Trade to the White Star Line in consideration of payment of a considerable sum.

12443

We find it a little difficult to understand your clients' reasons for the delay in making known an arrangement which has an important bearing on the subject in dispute. If, however, you can assure us that this Agreement is a *bona fide* one, we shall be disposed to advise our clients not to press their complaint further, provided your clients agree to pay their costs in the arbitration to the date when you sent us a copy of the letter of agreement, the decision given by the Arbitrator on the preliminary question having been entirely in our clients' favor. We have no doubt that your clients will acknowledge that this is only fair in the circumstances.

12444

Yours truly,
(sgd.) WRIGHT, JOHNSON & MACKENZIE.

Defendants' Exhibit 156

12445

Liverpool, 23rd July, 1909.

Messrs. Wright, Johnson & Mackenzie,

Dear Sirs:

Arbitration "Allan" and "White Star" Lines.

We must apologize for the delay in replying to your letter of the 13th inst. Mr. Norman Hill who attends to this matter is absent on a holiday and we thought it better to communicate with him before replying to your letter.

The arrangement between the White Star and Dominion Lines is a *bona fide* one. It resulted from negotiations extending over a considerable period and which were only concluded at a Meeting held on January 14th, 1909, the terms being as set forth in the letter of January 30th of which you have had a copy.

12446

The facts relating to this arrangement were not necessary to and could not have been raised in our clients' preliminary objection that your claim was against the wrong parties, and our clients did raise the arrangement on the first occasion on which it was open to them to do so, namely, in their Statement of Defense to the Claim. There is therefore no justification for your suggestion that costs have been incurred by reason of any nondisclosure of the nature of our defense.

12447

The costs that have so far been incurred are mainly, if not entirely, in relation to the preliminary point. These costs are in the discretion of the Arbitrator and we are content to leave Sir Robert Finlay to decide upon copies of your letter of the 13th inst. and this letter, and without further argument, by whom they should be paid.

Yours faithfully,

(sgd.) HILL, DICKINSON & CO.

12448

*Defendants' Exhibit 156**Copy.*

Glasgow, 27th July, 1909.

Messrs. Hill, Dickinson & Co.,
Solicitors,
10 Water Street, Liverpool.

Dear Sirs:

Arbitration "Allan" and "White Star" Lines.

12449 Referring further to your letter of the 23rd inst: we have now seen our clients in regard to this matter. They agree to the suggestion in the last paragraph of your letter that copies of our letter of the 13th instant to you and of your letter of the 23rd instant to us should be sent to Sir Robert Finlay and that he should decide upon these letters and without further argument by whom the costs should be paid. We shall be glad to know if you will write Sir Robert Finlay with these copies and if so, you might please send us a copy of your letter to him.

Yours truly,

(Sigd.) WRIGHT, JOHNSTON & MACKENZIE.

12450

Petitioner's Exhibit 1340.

12451

G. No. 563.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 21st, 1909.

To the Parties:

to Agreement V. (553.)

In reply to G. No. 553 the Holland-America Line
 write:

12452

"Since we have furnished proof to the Secretary that we actually receive not less than the full minimum fare from the passengers in question for their passage from New York, we can hardly see that the contentions of the Compagnie Generale Transatlantique call for any further reply on our part. The question what these passengers pay from Havanna to New York may perhaps be of particular interest to the French Line, which, we understand, maintains a direct service from Havanna to France (which service, however, is not covered by our cabin agreements), but it is of no interest to us, because the Holland-America Line books these passengers only from New York to Paris and, in doing so, strictly adheres to every stipulation of Agreement V."

12453

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 24/8 1909 Acknl'd 1909 An-
 swered 1909.

4151

12454

Defendants' Exhibit 157.*G. No. 564.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 21st, 1909.

To the Parties:

North West Transport Line (G. No. 560).

S. S. "Uranium" sailed August 20th from Rotterdam with 307 steeragers of which 120 for Halifax.

12455

Respectfully,

(Stamped): Ismay, Imrie & Co., Passenger Dept.
 Recd. 23 Aug. 1909 Ansd.

Defendants' Exhibit 158.*G. No. 565.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

12456

Jena, August 24th, 1909.

To the Parties:

North West Transport Line (G. No. 564).

The Holland America Line inform me that S. S. "Voturno" sailed Saturday, August 21st, from New York, with 10 cabin passengers and 165 steeragers.

Respectfully,

P. S. New York cables 24/8:

"Birna 557 Voturno 165."

Defendants' Exhibit 159.

12457

G. No. 566.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 27th, 1909.

To the Parties:

North West Transport Line (G. No. 565).

12458

Of the 307 steeragers which left Rotterdam on August 20th (G. 564) by S. S. "Uranium" were

	for U. S. A.	for Canada	Total
from Russia	153	16	169
" Hungary	12	13	25
" Austria	22	1	23
" Italy	1	7	8
" Germany	4	—	4
" Bulgaria	2	—	2
" England (L'pool)	—	76	76
	<hr/> 194	<hr/> 113	<hr/> 307

12459

25% of the Total came from England.

Respectfully,

P. S. S. S. "Raglan Castle" having left New York August 10th with 215 steeragers and 10 cabin passengers arrived outside Hoek van Holland on 26th and disembarked her passengers on the high sea on a tug, because otherwise she would have been arrested. She proceeded directly for Hamburg.

12460

Petitioner's Exhibit 1403.*G. No. 567.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 27th, 1909.

To the Parties:

12461

P. Kapeller & Sons Czernowitz. (G. No. 559.)

From the letters received with regard to the disqualification of the above firm I quote the following two:

1) Lloyd:

12462

"We are in receipt of circular letter G. No. 559 and in reply must object to the disqualification of Messrs. P. Kapeller & Söhne, Czernowitz, unless evidence is submitted, conclusively proving the connection of said firm with the North West Transport Line or any of their disqualified agencies. Complaints against agents, stating that they are in communication with disqualified firms are not unfrequent. Only a few days ago we received a similar complaint against Mr. Dundoff, Sofia, but in the absence of sufficient evidence we have so far deferred proposing the disqualification of this firm."

2) Nasm:

"If Messrs. Kapeller & Sons are really in communication with the Universal Reisebureau for the forwarding of passengers to the At-

Petitioner's Exhibit 1404

12463

lantic Express, as reported to the Cunard Line, they should certainly be disqualified. We cannot, however, recommend to revert to such a measure, unless it is positively sure that the reports received by the Cunard Line are based upon facts. As we all know, denunciations amongst the agents along the Austro-Russian border are of very frequent occurrence.

"We therefore beg to suggest that the Cunard Line kindly inform you as to the nature of the advise received by them in respect of the above so that we may be able to judge."

12464

The Cunard Line no doubt will offer what evidence they can get in this matter.

Respectfully,

Petitioner's Exhibit 1404.

G. No. 568.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

12465

Jena, August 28th, 1909

To the Parties:

Union Ticket Office. (541.)

The Red Star Line write:

(Translation) "We cannot be satisfied with the explanation of the Anchor Line.

Petitioner's Exhibit 1407

12466

"The passengers which we advised to the Secretary as arrived here from 'Vaterland' for 'Union Ticket Office' through the Universal Reisebureau in Vienna came from the firm 'Vaterland' and not from the 'Raphaels Verein;' they may have been in communication with the 'Raphaels Verein,' but they came from 'Vaterland' and their testimonies in this respect are not to be doubted, also not that the passengers have been forwarded by the 'Universal Reisebureau.'

12467

"The Anchor Line cannot get around it that the Union Ticket Office stands in connection with two disqualified Reisebureau's.

"It is also not a fact that the disqualification of 'Vaterland' was not ratified at the Paris meeting. 'Vaterland' was previously disqualified. (British Lines Circular dated March 18th, 1909.) And a unanimous vote of the A. C. parties was necessary to revoke this disqualification.

12468

"At the Paris meeting through motion of the Anchor Line, the matter was then left to the consideration of the British Lines (Minute 105), but up to date we have not heard, that the British Lines have agreed about the cancellation of the disqualification of 'Vaterland,' much less than that the Continental Lines should have given their consent."

Respectfully,

Defendants' Exhibit 160.

12469

*G. No. 569.**Original with 1 Class.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 31st, 1909.

To the Parties:

12470

Cruise business. (G. 548.)

With regard to G. 548 the following replies have
 up till now come to hand:

1) Star: August 12th:

"We quite share the opinion of the White
 Star Line that cruises should not be subject to
 the agreements V. W. & X."

2) Transat: August 12th:

"Nous ne partageons pas tout à fait l'avis
 de la White Star quand elle dit que les pas-
 sagers qui font une croisière ne sont nullement
 de la même catégorie que les passagers ordi-
 naires, car s'il n'y avait pas de croisières, beau-
 coup de personnes qui en profitent viendraient
 en Europe par les paquebots réguliers. Du
 reste, nous ne pensons pas que des compagnies
 faisant des croisières acceptent des passagers
 au prix minimum. A notre avis, la commis-
 sion accordée doit donc être la même que celle
 qui est indiquée par les agreements V & W."

12471

12472

Defendants' Exhibit 160

3) Americano: August 13th:

"In compliance with the White Star Line's suggestion we agree to the understanding that passenger bookings for *bona fide* cruises are not subject to the restrictions of the cabin agreements."

4) Lloyd: August 19th:

12473

"In reply to circular letter G. No. 548, we beg to say that we are not in sympathy with the proposal of the White Star Line to have Cruise business generally exempted from the rules and regulations of Agreements V and X. Apart from the difficulty to give a sufficiently clear definition of the conception 'Cruise Business' which will preclude future differences of opinion, we consider a commission of 5% to sub-agents as quite sufficient. In order to prevent the granting of higher commissions on the part of outsiders, we would recommend that the Lines parties to agreements V and X agree among themselves not to charter any of their steamers for cruise purposes unless the Charterer assumes the obligation to limit the agents' commission to 5%."

12474

5) Allan: August 26th:

"Referring to your circular G. No. 548, we beg to advise you that we decline to assent to the understanding with regard to cruise business proposed by the White Star Line in the letter quoted by you in that circular."

6) Cunard: August 26th:

"We have duly considered your memo of the 9th instant G. No. 548 with letter from the

Defendants' Exhibit 160

12475

White Star Line upon the above matter. We rather deprecate any deviation from the decision of the Arbitrator as expressed on the 14th January last, in regard to the payment of commission to agents in America on Cruise Business, and as far as we are concerned do not see any reason why Agreements V. W. and X should not apply."

7) Hapag: August 27th:

"G. 548 sorry cannot agree, but are willing discuss matter next meeting."

12476

If the White Star Line intend to bring the matter up again at the next meeting they will please let me know.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 2 Sep. 1909. Ansd.

12477

12478

Petitioner's Exhibit 1405.*G. No. 570.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 31st.

To the Parties:

P. Kapeller & Söhne, Czerowitz. (G. No. 567.)

12479

In addition to G. No. 567 there is a letter from Star:
 (Translation)

12480

"Before we give our consent to the disqualification of the firm P. Kapeller & Söhne, Czerowitz, we must request that the Cunard Line promulgate the proofs upon the ground of which the disqualification is to be effected, the same as we have always done in similar cases. The Cunard Line having been informed that Kapeller stands in connection with the Universal Reisebureau is too vague a reason for disqualification. As far as Antwerp is concerned in regard to the arriving and transient passengers we are here on a sharp lookout as to the doings of the disqualified agents and their connections but have observed nothing with which Kapeller could be burdened in this respect. We will mention that we have no connection whatsoever with Kapeller, he has offered himself several times and we have never accepted any, but we would not like to see him dealt with in any other manner, than has hitherto been done in similar cases."

Respectfully,

Petitioner's Exhibit 1406.

12481

G. No. 571.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, August 31st, 1909.

To the Parties:

Union Ticket Office. (G. No. 568.)

12482

On August 23rd I wrote the Anchor Line I had received information that the Union ticket office had received at different times certain numbers of passengers for the Anchor Line which had been sent them through the Universal Reisebureau Vienna and asked them to let me know why the Union Ticket Office should not be disqualified for being in connection with a disqualified firm.

To this they replied:

"We have your favor of the 23rd inst. and in reply, the Union Ticket Office at Antwerp acts for more Lines than ours.

12483

"As to passengers reaching the Union Ticket Offices through the Universal Reisebureau of Vienna, if you can satisfy us that the U. R. B. have booked or handled Transatlantic passage monies & sent same to the Union Ticket Office then we shall be glad to consider the disqualification you mention. The point you raise has been already discussed by the Liverpool Conference and decided."

What the decision of the Liverpool Conference has been I do not know.

12484

Petitioner's Exhibit 1406

On August 27th Anchor Line further write:

"We beg to send you copy of a letter we have received from the Union Ticket Office at Basle.

12485

"We quite recognize that it is not possible for a line to present passengers in Vienna, going to the Office Universale Reise Bureau there & obtaining transportation tickets by rail to Antwerp. We simply send letter to show that this may happen to passengers by any ocean Line, even though Ocean Lines may do all they can to prevent any of the facilities offered by the U. R. B. being utilized."

The letter referred to reads:

Basel, 24th August, 1909.

Messrs. The Anchor Line,
Glasgow.

Dear Sirs:

North Atlantic Conference.

12486

We beg to inform you that we had occasion today to see Red Star Line Prepaid: No. Z. 74504 Miss Mina Grinfeld issued New York 25/6 /09 by Mr. A. Kass for Second Class from Antwerp to New York, who received mail (rail?) transportation from Vienna through the Universal Reise-Bureau.

We are, Dear Sirs,

Yours faithfully,

UNION TICKET OFFICE.

(Sgd.) H. Demeestere

Respectfully,

Petitioner's Exhibit 1408.

12487

G. No. 572.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 2nd, 1909.

To the Parties:

Continental Steeragers by Mediterranean steamers.

12488

Art. 1 of Agreement AA. covers the entire steerage traffic forwarded by the parties to this Contract from all European Ports to and via the United States of America and Canada and *vice versa*. Excepted are Italian and Oriental passengers forwarded by direct steamers through the Straits of Gibraltar.

From this it results that the Atlantic Conference Lines which are engaged in Mediterranean steerage traffic have to account for in the Atlantic Conference all steeragers carried westbound or eastbound by their Mediterranean steamers other than Italians & Orientals, as for instance steeragers from & to Austria, European Turkey, Servia, France, Spain, Portugal incl. Azores, etc., etc.

12489

I am sorry on my recent trip for auditing the passenger manifests of the British Lines I have not attended to this paragraph. I therefore beg to request the Anchor Line and the White Star Line to have their 1908 manifests revised and either to report that by their Mediterranean steamers westbound and eastbound, they have not carried such accountable passengers, or to give the numbers specified for each steamer. Of course I must reserve auditing for next opportunity unless these lines deem it practicable to send me such of their manifests as I may ask.

12490

Petitioner's Exhibit 1409

As far as the Cunard Line is concerned the matter is settled by Appendix 3 d to Agreement AA. (Page 33), for *westbound business*. Eastbound the last clause on page 28 of Agreement AA. applies.

Hapag and Lloyd are already since long years accustomed to account for Continental steeragers by their Mediterranean steamers.

Respectfully,

12491

Petitioner's Exhibit 1409.

G. No. 573.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 2nd, 1909.

To the Parties:

North West Transport Line.

12492

Reverting to G. No. 532 I still beg to submit the following letter of the White Star Line of July 28th:

"Your G. 532.

"We observe the remarks appended at foot of your circular letter, and wish to say that, for our part, we consider it would be desirable to allow the New York small committee appointed to carry out Byelaw 22 to adopt such measures as they deem necessary to meet the competition of outside Lines, and that they

Petitioner's Exhibit 1409

12493

should not be restricted, as at the present time, to operate only on the gross passage rates but should be permitted, where necessary, to authorize payment of commission to agents over and above the usual commission of \$2 per adult."

The Parties will please let me know if they share in the view of the White Star Line. I still beg to submit the following letters:

Hapag: July 24th:

"Circular Letter G. No. 532. We are also of the opinion that the Small Committee should be authorized to give for opposition steamers at least the same commission as the North West Transport Line."

12494

Red Star: July 29th:

"G. No. 532. We quite agree with your views and are of opinion that the Small Committee should have power to decide that extra commission be paid, if it is deemed necessary."

Respectfully,

12495

12496

Petitioner's Exhibit 1410.*G. No. 574.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 3rd, 1909.

To the Parties:

12497

Union Ticket Office. (G. No. 571.)

The Hamburg American Line write:

"Few days ago we received from Antwerp the attached original copy of a deposition which indicate that 5 passengers, which had paid earnest money to the Reisebureau "Vaterland" in Rotterdam were directed in Vienna by the Universal Reisebureau to the Union Ticket Office at Basel, and from these were consigned to the Union Ticket Office in Antwerp. We did not pay any particular attention to this information at first because it was sent anonymously.

12498

"Through inquiries from our friends in the pool in Rotterdam and Antwerp it has turned out now, that as per a report of the Red Star Line which had gone to the trouble to make inquiry at the Austrian Consulate in Antwerp, the copy of the minutes corresponds exactly with the original and the respective passengers have also made the same declaration before the commissioner of emigration. The Red Star Line write as follows:

"We have also found out which, though it is a little confused yet throws some light on the case viz: in the presence of a representative of the Austrian Consulate of this place, the Belgian commissioner of emigration had the passengers examined by a polish speaking priest of this place. The passengers have verified the assertions given in the consular-declaration and have only corrected the price paid from Kr. 280 to Kr. 260.

"At the hearing were present the proprietor an employee and the porter of the Union Ticket Office, as well as a representative of the "Vaterland," Rotterdam. Union Ticket at first declared, that they did not work together with "Vaterland" and the porter had forwarded the passengers with "Vaterland" for his own account, but it was determined during the hearing that the payment was made in the office of the Union Ticket Office. This proves anew that the Union Ticket Office stands in connection with the two disqualified Reisebureaux, the Universal-Reisebureau and "Vaterland." ' 12500

"In the face of these facts, which leave no doubt as to the connection of the Union Ticket Office with the two disqualified firms Universal Reisebureau in Vienna and Reisebureau "Vaterland" in Rotterdam, we agree to the proposition to also disqualify the Union Ticket Office." 12501

I send the copy of the deposition to the Anchor Line and request them kindly to let me have their reply on the case.

Respectfully,

12502

Petitioner's Exhibit 1411.*G. No. 575.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 6th, 1909.

To the Parties:

North West Transport Line. (G. 566.)

The "Napolitan Prince" left Rotterdam on 4th instant with 289 steeragers of which 148 are for Halifax.

12503

The "Raglan Castle" no doubt has been withdrawn in accordance with the P. S. in G. No. 543 and been substituted by the Napolitan Prince as above.

Respectfully,

Petitioner's Exhibit 1412.*G. No. 576.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

12504

Jena, September 7th, 1909.

To the Parties:

Byelaw 22. (G. No. 573.)

The Norddeutscher Lloyd & Holland America Line share the opinion of the White Star Line, that the Small Committee should have power to authorize payment of commission in competition against the North West Transport Line over and above the ordinary commission of \$2.

Will the Lines who have not yet expressed themselves on G. No. 532/573, please do so.

Respectfully,

Defendants' Exhibit 161.

12505

*G. No. 577.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 8th, 1909.

To the Parties:

Monthly Statements for August.

12506

According to the Summary of Monthly Adjustment-
 Statements and Account Current (Form 30 No. 8)
 the following payments are to be made for August:

Anchor Line to Allan Line	£	75.	
Anchor Line to Dominion Line	"	165.	
Anchor Line to Canadian Pacific Railway			
Co.	"	126.	
Anchor Line to Donaldson Line	"	64.	
White Star Line to Allan Line	"	955.	
Cunard Line to Continental Lines	"	3780.	
Cunard Line to American Line	"	1474.	
Cunard Line to Canadian Pacific Railway			12507
Co.	"	714.	

Respectfully,

Received 10/9 1909 Ackn'd 1909 Answered 1909.
 (Stamped): North Atlantic Passenger Conference.

12508

Defendants' Exhibit 162.*G. No. 579.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 9th, 1909.

To the Parties:

12509

North West Transport Line. (G. 575.)

S. S. "Volturno" which left New York on August 21st with 165 steeragers and 10 cabin passengers as per G. 565 disembarked them in the usual way at Hoek van Holland on the 3rd instant and proceeded at once for Hamburg, at the latter port it is rumoured she has been arrested owing to a claim of M. 8000 for coals; so far there are no news of a release. In consequence hereof her next departure from Hamburg has been postponed according to an advertisevent from the 7th instant to the 12th instant.

Respectfully,

12510

Petitioner's Exhibit 1413.

12511

G. No. 580.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 10th, 1909.

To the Parties:

*Continental steamers by Mediterranean Lines. (G. 12512
 572.)*

The White Star Line write 7th instant:

"Your G. 572. We have to acknowledge receipt of your letter of the 2nd inst, under this heading, but you are evidently under a misapprehension.

"It was never intended under Agreement AA to include passengers landing or embarking either at Gibraltar or the Azores by our Mediterranean steamers. The term "European port" in Article 1 of the Agreement AA which you quote does not cover the Azores, and the statistics for the Azores business were not included in the figures under consideration when Agreement AA was concluded. 12513

"As regards Gibraltar, statistics of the passengers landing and embarking at that port were also not included in the figures on which Agreement AA was based, and we are therefore not prepared to amend our 1908 statistics to cover our Azores and Gibraltar passengers by Mediterranean steamers.

12514

Petitioner's Exhibit 1413

"We are quite in accord with the suggestion that Continental passengers landing and embarking at Genoa &/ or Naples in Mediterranean steamers, viz: passengers from and to Austria, European Turkey, Servia etc. require to be accounted for under Agreement AA."

The Parties which do not object to the views of the White Star Line I take as agreeing, and of course what is considered right for one Line must be right for all.

Respectfully,

12515

12516

Defendants' Exhibit 163.

12517

*G. No. 581.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 11th, 1909.

To the Parties:

North West Transport Line. (G. 579.)

Of the 290 steeragers which left Rotterdam on
 September 4th by S. S. "Napolitan Prince" were:

12518

	for U. S. A.	for Canada	Total	
from England (L'pool)	6	128	134	
" Russia	78	4	82	
" Hungary	37	—	37	
" Austria	25	—	25	
" Italy	4	4	8	
" Germany	1	—	1	
" Roumania	1	—	1	
" Turkey	2	—	2	
	154	136	290	12519

46% of the Total came from Liverpool.

Is it then absolutely impossible to get hold of these passengers? If it is possible and if it is merely a question of rates, the Dominion Line with their ever increasing shortage which has run up to 6278 or 44% of their share ought to try to get them and be it if necessary at a reduced compensation rate.

Respectfully,

(Stamped): North Atlantic Passenger Conference.

Received 13/9 1909 Ackn'd 1909 Answered 1909.

12520

Petitioner's Exhibit 1414.*G. No. 582.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 11th, 1909.

To the Parties:

Union Ticket Office. (G. No. 574.)

In reply to G. No. 574 the Anchor Line say:

12521

"We have sent your (copy) letter to our Antwerp agents also a copy of the deposition referred to by Hamburg Packet Co. which we now return.

12522

"We desire you to clearly understand that we maintain the position we have always taken up as to the disqualification at Rotterdam of Oniscavich. This position we explained at the Paris meeting and the Conference then left the matter in the hands of the British Lines. As Oniscavich did not act for any Continental Company we do not agree that the consent of the N. D. L. V. Lines was necessary to remove the disqualification in this case, more especially when the matter was remitted to the British Conference with full power."

The Red Star Line write:

"The Union Ticket Office continues accepting passengers from disqualified firms:

From 'Vaterland' through 'Universal Reisebureau' Vienna,

on Sept. 3rd 3 passengers

" " 6th 7 1/2 "

all for the Anchor Line."

Respectfully,

Petitioner's Exhibit 1415.

12523

G. No. 583.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 13th, 1909.

To the Parties:

Union Ticket Office. (G. No. 582.)

12524

The Red Star Line send me letter of the Union Ticket office, in which 15 Kronen Commission is offered to the passenger. The Red Star Line say that this is as characteristic for the methods of business of the Union Ticket Office as it is contrary to clause 14 Agreement A. A. The firm having been proposed for disqualification they reported the present case for further characterizing.

Respectfully,

12525

12526

Petitioner's Exhibit 1416.*G. No. 584.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 14th, 1909.

To the Parties:

Compensation fighting-steamer "Birma."

12527

The Russian American Line in a letter of Sept. 3rd on the compensation due to them for S. S. "Birma" wrote:

"On this opportunity we would say that we do not consider ourselves bound by bye-law 22 and that we can only agree to our steamers being appointed as fighting steamers if we get the full difference in rate."

I ask them why they did not consider themselves bound by bye-law 22 and their reply is:

12528

"* * * that Agreement B. B. contains nothing about bye-law 22. In previous cases it is true we have got the full difference and therefore did not object to our steamers being placed at the disposal of the Conference, but we find it unfair that the Line which supplies the fighting steamer should bear a direct loss by lower rates besides their percentual share.

"We are willing to join in bye-law 22 with the following alterations:

a) the words 'but not exceeding \$30' and 'Maximum compensation to be \$12' to be eliminated.

Petitioner's Exhibit 1416

12529

b) the words 'the Russian Volunteer Fleet, the Russian East Asiatic Co.' to be dropped.

c) If a R. A. L. steamer is selected it must be subject to the consent of the Russian America Line."

The Russian America Line are, I think, mistaken. I refer to Art. 24 of Agreement BB and Minute 104 from which it results with all clearness that can be desired that *they are bound by Minute 22.*

The Lines will please express their views to what extent, if any, the wishes of the R. A. L. could be regarded.

The R. A. L. have handed in the following bill for compensation to the S. S. "Birna," August 21st.

Newyork—Rotterdam: $416/1 \ 53/2 \ 25/0 = 442-1/2$, our rate \$31—, fighting rate \$24,—difference \$7.
\$3,097.50

Newyork—Libau: $52/1 \ 4/2 \ 7/0 = 54$,
our rate \$38,—fighting rate \$35,—difference \$3

162.

12531

\$3,259.50

According to a Memo of Mr. Sandford dated August 16th the "Birna" was appointed to sail August 21st, rate \$24, commission \$2. On that same date, August 16th, the Russian American Line advanced their eastbound steerage rates by \$3 as per Newyork circular 37, and by an other circular, same No. (37) and same date August 16th the rate for S. S. "Birna" was reduced by \$7.

12532

Petitioner's Exhibit 1416

On September 18th the R. A. L. wired that they had advanced their eastbound steerage rate to Rotterdam to \$31 and to Libau \$38. On asking them the reason for this advance they replied, because their shortage was so very small (273) and because the other Lines quoted rates from \$31—41 1/2. An advance on the part of a Line which is 9% short of its share cannot be considered as a measure for adjustment and the other explanation is rather curious. If they had informed me *before* they advanced as they ought to have done (Art. 11 Agreement BB.) I should have objected.

12533

As to the compensation of \$7—which is claimed it will have to be decided whether the advanced rate was in operation at the time when the "Birma" was proposed and agreed upon for the opposition, and on this point I have already written to Newyork some time ago; so I can await answer next days.

Respectfully,

Recd. 16 Sep. 1909. Ansd.

(Stamped): Ismay, Imrie & Co. Passenger Dept.

12534

Petitioner's Exhibit 1417.

12535

G. No. 585.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, September 14th, 1909.

To the Parties:

Increased commission for fighting purposes. (M. 576.)

A cable from Newyork gives the number of passengers by

Uranium 11th 250, including 10 cabin. Opposition 12536
steamer

Lapland " 687

The number by "Uranium" is the largest which a steamer of this competition Line has got this year and the result of the opposition will hardly be considered satisfactory. I therefore beg to suggest if the Lines which have hitherto not been disposed to agree to allowing a higher commission for the opposition steamer will reconsider their position.

The Anchor Line write:

"We have not been in favor of granting small committee authority to grant an increased commission to agents when opposing the North West Transport Line at Newyork. We fear that there is no check on what may be done in this matter and leaves the Lines in the hands of subagents to too great an extent.

12537

"But if all the A. C. Lines are agreed to give the matter a trial we would not stand out against this but retain the right to withdraw at 14 days notice to you."

The other Line objecting is the
Cunard Line:

12538

Petitioner's Exhibit 1417

"Referring to your G. No. 573 of the 2nd instant, we may say that we are averse to the policy of increasing commission to Agents, considering that it upsets business and has a demoralizing effect upon them. If deemed absolutely necessary, we think the better plan is for the rate of the fighting steamer to be put down to a figure which, when the normal commission is deducted, is the same as the net rate obtained by the opposition boat whatever its commission may be. The lower rate should attract passengers, which, after all, is what the Lines desire to bring about."

12539

The presumption in the last paragraph would be right if the passengers were intelligent people, who choose for themselves, but if on the other hand one is of the opinion that agents control the business in question to a certain extent only a half result can be expected by lowering the rates.

I may refer to a circular of the General Agents of the Greek Lines of August 27th in which the following passage is to be found with regard to the Mediterranean Lines fighting the Greek Lines:

12540

"To this disloyal war, each and every agent of Navigation should answer by supporting the Lines we represent. On our side we promise to do all that is possible to protect the interests of our agents.

"This is a promise on which they can positively rely; for in the past we have in every occasion favored the *productive agent* not by cutting down rates but by increasing the commission, intending to give the advantage only to the agent whom we believe to be the *factor arbiter* and soul of the marine transportation industry.

"Above is just the contrary of the ideas and deeds of the Maritime Trust which vigilant and alert to protect its own interests totally ignores those of the one, the real producer of business. The agents have confirmation of what we say in the recent reduction of rate accorded to a steamer sailing September 1st.

"Even in this occasion the Trust has not failed to live up to precedent customs; for having for object to harm us, it has not provided for an increase in the commission so to be useful to its agents, but it has reduced the passage rate."

12542

Of the inconveniences of the measure all Lines are aware, and also those Lines which have already agreed to the measure in question will understand that the Cunard Line and the Anchor Line do not treat it lightly. But all fighting measures are connected with inconveniences and if one resorts to them one cannot be too particular without questioning the desired result.

The decision depends practically on the Cunard Line. If they will inform me, that they will not stand in the way I would cable Mr. Sandford:

"Your cable June eleventh (G. No. 486) now agreed."

12543

In this case it would be necessary to insert the word "net" in Minute 22a, 6th Line and 8th Line before the word "rate" and Minute 22d would have to be altered in the 3rd Line "the amount of the difference between the net rate at which the passengers are booked and the regular *net* rate of the carrying steamer etc."

In this latter respect the Committee would have to exercise the control of the rates.

12544

Petitioner's Exhibit 1418.*G. No. 586.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 14th, 1909.

To the Parties:

12545

Change in rates of Russasiatic.

The Russian America Line informed me under
 date of 8th instant of the following change in rates
 taking effect on 14th instant:

II. Class A	Rbl.	120.—	incl.	headtax
II. " B	"	100.—	"	"
Steerage	"	82.—	excl.	"

They have abolished improved steerage on their
 steamers.

Respectfully,

12546

Petitioner's Exhibit 1419.

12547

*G. No. 587.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 15th, 1909.

To the Parties:

Union Ticket Office. (G. No. 583.)

In reply to G. 571/74 the Red Star Line write:

"Meanwhile it has been once more proven by G. 574 that the U. T. O. is in business relations with the disqualified firm 'Vaterland.' As regards the communication from the Anchor Line that our Second Class prepaid passenger, Mina Grinfeld, has been forwarded to Antwerp by the disqualified "Universal Reise-Bureau" in Vienna, we think it best to send you this prepaid enclosed, from which you will see that it calls for passage from Antwerp & that there was no railroad transportation to be arranged by us on the strength of the certificate. These Second Class prepaids are sent direct to the passengers by the purchasers and in the case in question the passenger did not secure her place on the steamer in advance nor did she even write us but started on her journey without paying any heed to the instructions given on the back of the ticket. So that we were not at all in a position to correspond with her & give her instructions about the journey to Antwerp. If such a passenger accidentally goes into the office of the 'Universal Reise-bureau,' we think this is quite another thing to week by week and day by day passengers, coming from a disqualified firm, being directed to

12548

12549

12550

Petitioner's Exhibit 1410

this 'Universal Reisebureau;' this means an organization & relationship with a disqualified firm whilst the other case is a single incident, which cannot be prevented & with which the Line has nothing at all to do."

The ticket referred to is a second class passage order entitling to transportation in II. Class from Antwerp to Newyork or Boston (direct); it does not say for what steamer. I send it to the Anchor Line, who will please return it.

I further beg to promulgate the following letter of the Hamburg American Line:

12551

"Circular letter G. 582—In reply to the Anchor Line's letter contained therein we beg to say that the disqualification of the 'Reisebureau Vaterland, Onishevich' to which all Lines, parties to Agreement AA, had agreed and which in conformity therewith was made known to the Agents by the various Lines' circulars, was according to Byelaw 105 to be reconsidered by the British Lines. As so far we have not been informed of the result of the British Lines' reconsiderations the disqualification cannot in our opinion be regarded as removed, all the more in view of the fact that the Reisebureau Vaterland is in connection with the "Universal Reise-Bureau" which is also disqualified. Under these circumstances we trust that the Anchor Line will not withhold any longer their consent to the disqualification of the Union Ticket Office whose connection with the two above mentioned disqualified firms 'Reisebureau Vaterland' and 'Universal Reisebureau' is clearly proved and according to the Red Star's report in G. No. 582 continues to exist."

12552

Respectfully,

Petitioner's Exhibit 1420.

12553

*G. No. 588.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 17th, 1909.

To the Parties:

Union Ticket Office. (G. No. 587.).

12554

With regard to the information I received through Mr. Smyth that the passengers call of their own accord at the Universal Reisebureau, because they obtain their railway tickets here cheaper and that this seems to be uncontrollable by the steamship Cos. the Red Star Line write:

"We have your letter and note the explanation that the passengers from the Reise-Bureau 'Vaterland' consigned to the Union Ticket Office call of their own accord at the Reise-Bureau to purchase railway tickets from Vienna to Basle. Unfortunately this explanation does not agree with the facts because we know that these passengers arrive in Vienna with closed envelopes addressed to the Universal Reise-Bureau; I suppose that it will not be pretended that the passengers write these envelopes themselves.

12555

"As to the question of the disqualification of the Bureau 'Vaterland,' we are not in accord with the Anchor Line as to the interpretation of Min. No. 105. The 'Vaterland' had been regularly disqualified and the disqualification

12556

Petitioner's Exhibit 1420

recorded by the Secretary and then it needs under Min. 4B the unanimous consent of all the Lines to re-instate this agency. At the desire of the Anchor Line, the British Lines were to reconsider their decision, but should their opinion be favorable to a re-instatement it still needs the co-operation of the Continental A. A. Lines to effect such a re-instatement. For the present the 'Vaterland' therefore remains disqualified and the action between the Union Ticket Office and the 'Vaterland' is absolutely illegal and as the Union Ticket Office is systematically acting against the Law it should be disqualified."

12557

I informed the N. D. L. V. Lines that the question of the "Reisebureau Vaterland" is still under consideration with the B. L.

Respectfully,

12558

Petitioner's Exhibit 1421.

12559

G. No. 589.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 18th, 1909.

To the Parties:

*Increased commission for fighting purposes. (G. No.
 585.)*

12560

Last night I received following telegram from
 Cunard:

"Your letter G. 585 14th September concerning increased commission for fighting steamers as already mentioned proposal does not commend itself to us and we would have preferred course we suggested however have no wish block progress and in interests of general harmony will agree to arrangement being given trial seeing other lines think this desirable reserving our right to withdraw on fourteen days notice."

12561

and I at once cabled Mr. Sandford accordingly.

Respectfully,

12562

Petitioner's Exhibit 1422.*G. No. 590.*

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, September 21st, 1909.

To the Parties:

Union Ticket Office. (G. No. 588.)

12563

The Anchor Line in reply to G. No. 587 say:

"With reference to the Red Star Line's remarks anent the U. T. O. we now send back to you Red Star Line's prepaid for a Second Class passenger, and note that the Red Star Company admits that this passenger was forwarded by the office of the Universal Reise Bureau in Antwerp, but that they do not admit that this was done with their cognizance.

12564

"This position is exactly the one that was taken up by us in connection with the Krakau passengers. These passengers reached Antwerp and wander in the U. R. B. office quite without orders or without the knowledge of the U. T. Office. The Krakau passengers are not booked from Krakau, but from Antwerp or Basle.

"We know for a certainty that the U. T. O. managers have done all they can to prevent business reaching them through U. R. B."

Respectfully,

(Stamped): North Atlantic Passenger Conference.

Received 23/9 1909 Acknl'd 1909 Answered 1909

Petitioner's Exhibit 1423.

12565

G. No. 591.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 21st, 1909.

To the Parties:

Reisebureau "Vaterland." (G. No. 588.)

12566

I am in receipt of the following letter from the
 Anchor Line bearing on G. No. 587:

"In regard to the Hamburg Amerika letter, the Vaterland, Rotterdam when disqualification was moved was not agreed to by us, and we think you can bear us out in this. We never were able to find out on what ground Vaterland, Rotterdam was disqualified, and why it was the Continental Lines were so anxious to put Mr. Onishcavich out of business and who did not send business to the North West Transport Line or to any outside Line, all his passengers were confined to Conference Lines and the business was duly pooled.

12567

"We would in any case have nothing to do with any agent or Society that has any dealings whatever with an outside Line. We are aware that the U. R. B. has dealings with an outside Line, but the U. R. B. has nothing to do with us or our agents in regard to Transatlantic business.

"On these broad facts we now definitely state to you that we cannot agree to the U. T. O. being disqualified.

12568

Petitioner's Exhibit 1423

"We notice the Hamburg Packet Company in reference to by-law 105 seem to be ignorant of what the British Lines have done in reference to the re-consideration of the disqualification of Onishcavich, but we understand the Liverpool Secretary of Conference has informed you that the British Lines are unanimous in removing this disqualification provided Mr. Onishcavich satisfies them as to where he will re-establish himself in business."

12569

As to the above statement of the Anchor Line that the disqualification of the "Vaterland," when moved was not agreed to by them I beg to say that this is a matter dealt with by the B. L. Conference. I am therefore not in a position to say whether it was agreed to by the Anchor Line or not. I only received a disqualification circular dated Liverpool March 18th through Mr. Smyth, in which the Anchor Line is named as one of the disqualifying Lines, so that the disqualification of the Vaterland must be considered as agreed to by all Lines.

12570

When the matter however was taken up again a few days later at the Paris Meeting of March 25th and the disqualification was to be reconsidered, my understanding was, that pending such reconsideration, the disqualification should not be carried out.

Respectfully,

Petitioner's Exhibit 1424.

12571

G. No. 592.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair." Jena.

Jena, September 22nd, 1909.

To the Parties:

Compensation fighting steamer "Birma" (G. 584)

12572

Reverting to the last paragraph of G. No. 584 following is the reply from New York:

"On the morning of August 16th Russian-American Line mailed to agents circular No. 37 of that date, making Eastbound Rotterdam rate \$31, in accordance with cable instructions received August 15th. This was an advance of \$3.

"About 3 P. M. August 16 Committee met and fixed 'Birma.' There had been no mention of the subject at all among Committee members before they met.

"Committee considered 'Birma' the most suitable steamer and fixed her rate at \$24, whereupon Russian-American Line issued another circular dated August 16th placing this rate of \$24 in operation.

12573

"Through printer's error the serial number of the circular was overlooked and number '37' appears on both those of that date."

In view of the above explanation the Russian American Line is entitled to the compensation ac-

Petitioner's Exhibit 1424

12574

according to byelaw 22 that is \$6 per adult for passengers booked to Rotterdam; as to the passengers booked to Libau for which a difference in rate of \$3 is claimed by the Russian American Line, I inquire at New-york, whether this reduction has also been agreed to by the Small Committee.

The Parties who have expressed themselves are of the opinion that the Russian American Line are bound by Byelaw 22 which however remains subject to the right of any Line giving 30 days notice to withdraw. As to the alterations of that byelaw demanded by them the opinion is expressed that they are not desirable.

12575

Respectfully,

12576

Petitioner's Exhibit 1425.

12577

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 24th, 1909.

Cunard Line
 White Star Line
 Hamburg Amerika Linie
 Norddeutscher Lloyd

12578

Extension of Byelaw 106 to Medit. Traffic.

Reverting to the inquiry of the Nordd. Lloyd whether the parties to Agreement X are of the opinion that Byelaw 106 should as regards first class infant fares also be extended to the Mediterranean. I beg to inform that they agree to it; I think there will be no objection to have the rate put into operation at once and shall take it as agreed unless I am informed to the contrary until October 1st.

Hapag is also agreeable to apply Byelaw 106 for second class infants to the Mediterranean Cunard provided all others agree; will the White Star Line & Lloyd inform me, whether they will fall in.

12579

Respectfully,

12580

Petitioner's Exhibit 1426.*G. No. 594.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 24th, 1909.

To the Parties:

Union Ticket Office. (G. No. 590.)

There are the following letters on this subject:

Anchor Line:

12581

"Your G. No. 588. Union Ticket Office.

"We thank you for yours of 17th September, and note the remarks of the Red Star Line. We cannot amplify what we have already stated in regard to the question of tickets being issued by the U. R. B. of Vienna. We have had our agents here who gave us full explanations of the matter. Explanations that were satisfactory to all the British Lines.

12582

"We notice that the Red Star Coy, do not agree with our interpretation Byelaw No. 105. We have advised you fully of the position of the British Lines in regard to the disqualification of 'Vaderland' and the present position of the matter. We assure you that the U. T. O. has no desire to do anything contrary to Conference regulations."

Red Star Line:

"We refer to your letters G. 590 & 591 and it would seem to us as if the Anchor Line has not carefully read the previous letters because we do not know where they find that we admit that a second class passenger of ours was for-

warded by the Universal Reise Bureau, we have not the slightest knowledge of this and the ticket shows nothing, as we distinctly stated in our letter. The case is very different for the passengers from the 'Vaterland' who were forwarded by the Universal Reise Bureau because, as we stated, these passengers arrived from Krakau with closed envelopes addressed to the Universal Reise Bureau in Vienna and we stated ironically that nobody would pretend that the passengers wrote these envelopes themselves. These envelopes establish beyond any doubt that the 'Vaterland' in Krakau is in connection with the Universal Reise Bureau and that the Union Ticket Office is in connection with both the 'Vaterland' and the Universal Reise Bureau.

12584

"As regards the disqualification of the 'Vaterland,' you deal yourself already with the assertion of the Anchor Line that they have not agreed to the disqualification, and as regards the opinion expressed by you that pending the reconsideration of such disqualification, the disqualification should not be carried out. I think that the interpretation of the contract is a matter which concerns the Lines themselves and not the Secretary, but since you were under this impression, will you please explain why you have then mentioned the 'Vaterland' amongst the disqualified firms in your Weekly Statistics Westbound form 25?"

12585

I think the interpretation of the contract is a matter which does concern the Secretary. That decisions of the Lines overrule his interpretation needs no mention. For the rest the Secretary is subject to errors as other mortals too.

Respectfully,

12586

Petitioner's Exhibit 1427.*G. No. 595.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 24th, 1909.

To the Parties:

12587

Russian American Line and Byelaw 22. (G. 592)

The Russian American Line reply to G. 584 under
 date of September 18th as follows:

"We beg to put forward the following remarks:

"Art. 24 of Agreement BB covers 'all resolutions passed in future by the Atlantic Conference Lines,' but Byelaw 22 was constructed prior to our joining the Conference; and the revival of it is not passed by the A. C. Lines but is a private agreement between some of Lines.

12588

"Moreover we find the wording of Byelaw 22-b such, that we cannot very well be supposed to be bound to it without any alteration.

"Should the Lines however, against our expectation, arrive at another result than we, we hereby give the notice mentioned in paragraph g, so that at any rate we are free from October the 18th your style, which please note.

"We are still willing to join the Byelaw 22 with the alterations previously mentioned."

Respectfully,

Petitioner's Exhibit 1428.

12589

G. No. 506.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 24th, 1909.

To the Parties:

Rates Rusamerika. (G. 586)

12590

With reference to the change in rates of the Russian America Line the following letters have come to hand from:

Lloyd:

"According to circular letter G. No. 586 the Russasiatic's steerage rate from Libau is Rbl. 82 and their 11 class B rate Rbl. 100. This makes a difference of Rbls. 18 which is a trifling less than the £2 stipulated by Art. 13 Agreement B.B. This difference is, however, practically reduced to only a little more than £1 as head tax is charged separately for steerage business but not for 2nd cabin. This difference is in our opinion totally insufficient to prevent the diversion of steerage business into the 2nd cabin, and also not in accordance with Art. 13 and passengers booked at the rate of Rbls. 100 second class should consequently be pooled. We shall be glad to hear the views of the other Lines on this point."

12591

12592

Petitioner's Exhibit 1428

White Star:

"Your G. No. 586.

"We note the changes in the rates advised by the Russian American Line to take effect as from 14th instant, and that they have abolished the 'improved steerage' on their steamers.

12593

"We would point out, however, that the difference between the Second class (b) rate of 100 Roubles, including head tax, and the steerage rate of 82 Roubles, exclusive of head tax, does not comply with article 13 of Agreement B.B., which states that the lowest Second Class rate westbound must be at least £2 higher than the highest third class rate.

"Any passengers booked at this so-called second class rate must therefore of course, be pooled."

Respectfully,

12594

Defendants' Exhibit 164.

12595

G. No. 597.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September, 25th, 1909.

To the Parties:

North West Transport Line. (G. No. 581)

12596

S. S. "Voluturno" left Rotterdam on September 18th
 with 231 steeragers of which were:

	<i>for U. S. A.</i>	<i>for Canada</i>	<i>Total</i>	
from Russia	89	—	89	
" England	4	72	76	
" Hungary	29	2	31	
" Austria	12	—	12	
" Turkey	11	—	11	
" Holland	9	—	9	
" Germany	2	—	2	
" Canada	—	1	1	
	<hr/>	<hr/>	<hr/>	12597
	156	75	231	
	<hr/>	<hr/>	<hr/>	

Respectfully,

12598

Defendants' Exhibit 165.

G. No. 598.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, September 25th, 1909.

To the Parties:

Final statistics for 1908.

12599

With reference to the last section of circular letter G. No. 580 I beg to inform the Parties that I have received no objection to the views expressed by the White Star Line. As no other differences are existing, I shall now prepare the final statistics for 1908.

Respectfully,

12600

Petitioner's Exhibit 1429.

12601

G. No. 500.

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, September 27th, 1909.

To the Parties:

Union Ticket Office. (G. No. 504)

Referring to G. No. 583 the Anchor Line wrote on 15th instant:

"We note that our friends the Red Star Line bring a further charge of paying com. to the passengers against the U. T. Office we can only state that we shall ask an explanation of this charge from our Antwerp agents.

12602

"We regret that we are being repeatedly written to, at this busy season, on questions of this kind."

P. S. "We return papers. Have had letter translated & from our reading we make out that the man the letter was sent to is an agent. He is asked if he has many passengers on hand etc. Your letter say '15 Kr. Commission is offered to the passenger.' We therefore fail to find the charge made good by the letter.

12603

"We send papers to U. T. O. who will return them here."

to which the Red Star Line reply:

"..... the letter in which 15 Kr. Commission was offered to a passenger had not been addressed to an agent and the contention of the Anchor Line contrary to it will not stand the test."

Respectfully,

12604

Petitioner's Exhibit 1430.*G. No. 600.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 27th, 1909.

To the Parties:

12605

Reise-Bureau "Vaterland." (G. No. 591)

I beg to promulgate the following correspondence
 on this subject:

Anchor Line Septr. 23rd:

12606

"We beg to acknowledge receipt of your letters G. No. 590 and G. No. 591. The concluding paragraph of your letter exactly states our view of the disqualification of 'Vaterland.' We understood that the action taken with the consent of all Lines at the Paris Meeting on March 25th delayed the disqualification of 'Vaterland' Rotterdam and that the disqualification was hung up pending the decision of the British Lines to whom the question was referred in accordance with Bye-Law 105. We must consider that this matter is now ended so far as we are concerned."

Holland America Line Septr. 24th:

"We cannot share your opinion with regard to what was decided at the Paris meeting of March 25th, 1909, in respect of the Reise-bureau 'Vaterland.' It is true that the matter was referred to the British Lines for recon-

sideration, but we do not recollect that anything was said at the time to the effect that pending the reconsideration the disqualification was not to be carried out. From the moment the Continental Lines had been notified by the British Lines that these were agreeable to the disqualification, it could not be removed but with unanimous consent. The Continental Lines at the Paris meeting simply offered to the British Lines the opportunity to revise their standpoint if such was their desire and to submit the question again to the Continental Lines, the disqualification not to be removed unless both British and Continental Lines should favor the removal. Unanimity not having been reached thus far, the disqualification of the Reisebureau 'Vaterland,' in accordance with by-law 4a, remains in effect.

12608

"We understand that the only progress made since the Paris meeting is that the British Lines would be willing to move the re-instatement of the Reisebureau 'Vaterland' provided Mr. Onishcavich satisfies them as to where he will re-establish himself in business, but we do not see how this could satisfy the Continental Lines. In this connection we beg to say that it is hard to understand why an undesirable agent should become less undesirable because of his moving his place of business to some other locality."

12609

Respectfully,

From the Secretary of the British Lines I received following copy of letter addressed to him by the Cunard Line:

Petitioner's Exhibit 1430

12610

"Sep. 24th, 1909.

"Dear Sir:

12611

"Referring to your memo of the 22nd September, in regard to Mr. Oniscavich ('Vaterland') we must dissociate ourselves from the statement contained in the Red Star Line's letter—see Secretary Peters' G. 588—that the reinstatement needs the co-operation of the Continental A. A. Lines. At the Atlantic Conference Meeting it was elicited that Oniscavich did not represent any of the Continental Lines, and according to Byelaw 4 C. no agent can be disqualified unless his disqualification is first proposed by any of the Lines employing him. Therefore the Continental Lines were not right in proposing it. With this in view the whole matter was referred back to the British Lines, and we maintain that the British Lines, if they choose to do so, are fully entitled to reinstate Oniscavich without any reference whatever to the Continental Lines."

Yours faithfully,

THE CUNARD STEAMSHIP COMPANY, LTD.

12612 E. S. Smyth, Esq.,
Liverpool.

Petitioner's Exhibit 1431.

12613

G. No. 601.

ATLANTIC CONFERENCE

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, September 27th, 1909.

To the Parties:

North West Transport Line. (G. No. 597.)

S. S. "Uranium" which sailed September 11th with
 240 steeragers and 10 cabin passengers from New
 York, landed her passengers on the 23rd inst. by a
 tender at Hoek van Holland; the steamer proceeded on
 her voyage to Hamburg.

12614

Respectfully,

Defendants' Exhibit 166.*G. No. 602.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, September 27th, 1909.

To the Parties:

Rates Rusamerika. (G. No. 596.)

The Russian America Line inform me that they
 have advanced their second class B rate by two Rubels.
 Will the Lines who have objected to the former sec-
 ond class rate of the Russian American Line, say,
 whether they maintain their objection.

12615

Respectfully,

12616

Defendants' Exhibit 167.*G. No. 603.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, September 28th, 1909.

To the Parties :

12617

North West Transport Line. (G. No. 601)

S. S. "Napolitan Prince" sailed from New York on Sunday last with 186 steeragers against S. S. "Zee-land" which sailed on Saturday with 494 steeragers.

According to a cable which Hapag received the rate for S. S. "Napolitan Prince" was \$23 less \$3 commission, against \$24 less \$2 commission for S. S. "Zee-land."

Respectfully,

12618

Petitioner's Exhibit 1432.

12619

G. No. 604.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, September 28th, 1909.

To the Parties:

N. W. T. L. Lozantcheff Freres, Monastir. (G. 542.) 12620

With regard to the proposed disqualification of said firm more precise dates or facts or names were desired by some parties, as to the alleged booking for the N. W. T. L.; the Cunard Line in reply to this desire say:

"..... we have endeavoured to obtain further proof of the connection of Lozantcheff Frères with the North West Transport Line. You are aware of the difficulty in the way of securing properly authenticated evidence in such matters, and we are afraid we shall not be successful in the case in question. We think however that following the precedent of previous disqualifications, where no proof has been submitted, the statement which we have given to the Conference Secretary should be accepted."

12621

Will the parties please inform me how they decide on the subject.

Respectfully,

12622

Defendants' Exhibit 168.*G. No. 605.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 1st, 1909.

To the Parties:

Union Ticket Office, (G. No. 599.)

12623

The Red Star Line communicate:

"Here passed for Anchor Line from Reise-
 bureau 'Vaterland' through Universal Reise-
 bureau, Vienna, for Union Ticket Office

"on September 14th 8 passengers
 " " 16th 24 " "

Respectfully,

12624

Petitioner's Exhibit 1433.

12625

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 1st, 1909.

Cunard Line
White Star Line
Hamburg Amerika Linie
Norddeutscher Lloyd

12626

Extension of Byelaw 106 to Mediterranean traffic.

Reverting to the last paragraph of the circular letter of 24th Sept. the White Star Line inform me that they charge for second class infants under one year £1.— which they understand is also the rate quoted by the other Lines: The Nordd. Lloyd wish to discuss the matter in connection with the cabin Agreement at the meeting of the Mediterranean Lines.

Respectfully,

12627

12628

Defendants' Exhibit 169.*G. No. 606.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 1st, 1909.

To the Parties:

12629

Rates Rusamerika. (G. No. 602.)

The Rusamerika write with reference to G. No.
 596:

(Translation.) "Although Rbl. 18 is only a trifle less than £2 we have nevertheless increased the rate for 2nd class B by Rbl. 2 resp. \$1 in order to be obliging to the wishes of the Lines and Wired to you accordingly.

12630

"Regarding the closing remarks of the Lloyd we beg to refer to your circulars Nos. 687 & 688 from which can be seen, that the Holland Amerika Line and Red Star Line quote Rmk. 200 (incl. of headtax) while the steerage rate of the same Lines is Rmk. 160, plus headtax Rmk. 17, thus a real difference of Rmk. 23, and we assume that the Conference regulations apply equally to all parties.

"The nominal difference of Rmk. 40 is not in accordance with Appendix 2, Par. 12, or is perhaps the exchange different here?

"According to the above we consider the demands of Lloyd & White Star void to let our 2nd class B passengers figure as steeragers, and await your confirmation accordingly."

Article 13 of Agreement BB is in conformity with Article 13 of Agreement AA in so far as it fixes a

Defendants' Exhibit 160

12631

minimum difference of £2 between the steerage rate and the second class rate of the resp. steamer but there is the condition, "unless otherwise agreed upon" or "unless there is a second class rate agreement."

The difference between the A. C. Lines and Rusamerika is that the A. C. Lines have a second class rate Agreement, fixing the minimum rates, whilst nothing has been agreed upon with Rusamerika otherwise than in Art. 12.

The best way to get out of the existing state of things might be that a cabin rate for the Rusamerika Line's steamers be agreed upon and I await to hear what the Lines think about it.

12632

Respectfully,

I just receive following letter from White Star Line:

"Your G. No. 602. We note the Russian American Line have advanced their second class B rate by two roubles, which we understand brings it now to 102 roubles. This, however, will not relieve the Russian America Line from pooling such passengers in view of the difference between their steerage rate which is exclusive of headtax, and the second class B rate above referred to of 102 roubles which is inclusive of headtax, coming within the margin specified in article 13 of agreement BB."

12633

12634

Petitioner's Exhibit 1434.*G. No. 607.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 1st, 1909.

To the Parties:

12635

Rcisebureau "Vaterland," (G. No. 600 Annex.)

The Norddeutscher Lloyd write:

12636

"With reference to circular letter G. No. 600 we must take exception against the views expressed by the Cunard Line that, as the 'Vaterland' has not been acting for any of the Continental Lines, the disqualification of that firm can be removed by the British A. C. Lines without or against the consent of the Continental Lines. According to Byelaw 4-c an agent cannot be disqualified unless the Line employing him proposes such disqualification but since the Lines employing the 'Vaterland' had agreed to disqualify that firm the reinstatement of the latter, according to Byelaw 4-b, requires unanimous action of the Lines."

Respectfully,

Petitioner's Exhibit 1435.

12637

G. No. 608.

ATLANTIC CONFERENCE.

Secretary's Office.

Jena, October 2nd, 1909.

To the Parties:

Minutes and Byelaws.

125. *Commission on infants.* In amendment of Agreement V Art. 13 b 1 & 2 and Agreement W Art. 11 b 2 the commission westbound and eastbound on infants' rates as per byelaw 106 has been fixed at 5% maximum. The commission on third class infants is 1 sh or its equivalent. (Agreed May 17th, 1909.)

12638

126. *Passengers free from the Pool.* Passengers landing or embarking at Gibraltar or the Azores by steamers of the direct Mediterranean Lines need not be accounted for under Agreement AA Non-Italian and Non-Oriental passengers from or to Genoa, Naples or any other Mediterranean ports must be accounted for. (G. 580 9/10 109.)

I shall add these byelaws to the Minutes of the next meeting in order to get them duly signed and printed then.

12639

Respectfully,
(Signed) H. PETERS.

12640

Defendants' Exhibit 170.

G. No. 609.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, October 5th, 1909.

To the Parties :

12641

North West Transport Line. (G. 603.)

S. S. "Uranium" sailed yesterday from Rotterdam with 20 cabin passengers and 237 steeragers of which 101 for Halifax.

Respectfully,

12642

Petitioner's Exhibit 1436.

12643

G. No. 610.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, October 5th, 1909.

To the Parties:

N. W. T. L. Lozantsheff Frères, Monastir. (G. 604)

12644

In reply to G. No. 604 the following answers have
 been received:

Red Star Line (Translated):

"If the Cunard Line has proposed the disqualification on account of their own observations, we agree with the disqualification, but if the proposal has been based on reports received from agents we would request particulars also naming the respective party, so that we can judge as regards the reliability of the statements.

"Cunard's remark, that also for previous disqualifications no proofs were brought is not correct, as for the disqualifications proposed by us we have brought the proofs."

12645

Norddeutscher Lloyd:

"..... we believe that it would be unfair to disqualify Messrs. Lozantcheff frères without any other evidence against them than the statement of the Cunard Line which, we suppose, is based on information received from

Petitioner's Exhibit 1436

12646

their agents. It appears to us that this case somewhat resembles that of the Union Ticket Office, which the British Lines so far have refused to disqualify although substantial proof has been brought forward against this firm. We shall be glad to hear whether the British Lines will agree to the disqualification of the Union Ticket Office upon the assertion of the Continental Lines that this firm is in connection with disqualified agents."

Respectfully,

12647

12648

Petitioner's Exhibit 1437.

12649

G. No. 611.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 6th, 1909.

To the Parties:

Donaldson Line eastbound.

12650

The Donaldson Line write October 4th:

"We beg to advise you that we have received cable intimation from our Montreal Agents that the 'Cassandra' which sailed from there on 30th September has 10 steerage passengers on board. This will now bring our numbers up to 200, and as per Appendix 3 to Agreement Z, paragraph 5 we were not to carry more than 200 without giving notice. We will feel obliged, therefore, if you will communicate with the various Lines and obtain their permission that we be allowed to carry a few more third class passengers up till the end of this year. We will still have three passenger sailing from Montreal besides our weekly Freight Steamer which may bring one or two third class as occasion requires."

12651

Will the Lines please let me have their views.

Respectfully,

12652

Defendants' Exhibit 171.*G. No. 612.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 7th, 1909.

To the Parties :

Monthly Statements for September.

12653

According to the Summary of Monthly Adjustment-Statements and Account Current (Form 30, No. 9) the following payments are to be made for September:

Anchor Line	to Continental Lines	.....£	952
American Line	" Allan Line	....."	375
" "	" Canadian Pacific Ry. Co.	"	584
" "	" Donaldson Line	....."	88
" "	" Continental Lines	....."	2481
Dominion Line	" "	....."	963
White Star Line	" "	....."	12131
12654 Cunard Line	" "	....."	7602

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 11-10 1909 Acknl'd 1909
 Answered 1909

Petitioner's Exhibit 1341.

12655

G. No. 613.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 7th, 1909.

To the Parties:

*Payments to and from the Russian East Asiatic
 S. S. Co.*

According to Monthly Adjustment-Statements for
 September (Form 35, No. 9), the following pay-
 ments are to be made:

12656

Continental Lines to Russian Eastasiatic S. S. Co.	£ 800.—.—
Allan Line " " " " " "	7.—.—
Anchor Line " " " " " "	44.—.—
American Line " " " " " "	86.—.—
Dominion Line " " " " " "	56.—.—
White Star Line " " " " " "	109.—.—
Cunard Line " " " " " "	175.—.—
Russian Eastasiatic S. S. Co. to Canadian Pacific Ry. Co.	1.—.—

To avoid payments to and fro the payments are to
 be made as follows:

Continental Lines to Russian Eastasiatic S. S. Co.	£ 800.—.—
Allan Line " " " " " "	6.—.—
Allan Line " Canadian Pacific Ry Co.	1.—.—
Anchor Line " Russian Eastasiatic S. S. Co.	44.—.—
American Line " " " " " "	86.—.—
Dominion Line " " " " " "	56.—.—
White Star Line " " " " " "	109.—.—
Cunard Line " " " " " "	175.—.—

12657

The British Lines will please send their cheques
 direct to the Russian Eastasiatic S. S. Co. at Libau.

Respectfully,

(Stamped): North Atlantic Passenger Conference.

Received 11-10-1909 Ackn'd 1909

Answered 1909

12658

Petitioner's Exhibit 1342.*G. No. 614.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 7th, 1909.

To the Parties:

12659

Compensation bill Red Star Line. (G. No. 593)

The Red Star Line send me the following bill for
 fighting steamers:

S/S "Vaderland" / S/S. "Raglan Castle"
 26th June 1909

661/1, 62/2, 54/0 passengers at
 fighting rate \$20.— (G. 505)
 regular " \$33.—

For 692 compensation \$10.— \$6920.—

S/S. "Kroonland" / S/S "Voluturno"
 10th July 1909

501/1, 80/2, 38/0 passengers at
 fighting rate \$24.— (G. 531)
 regular " \$33.—

For 541 compensation \$ 6.— \$3246.—

S/S. "Vaderland" / "Uranium"
 24th July, 1909

558/1, 80/2, 44/0 passengers at
 fighting rate \$24.— (G. 540)
 regular " \$33.—

For 598 compensation \$ 6.— \$3588.—

\$13754.—

12660

Petitioner's Exhibit 1342

12661

The distribution of the amount subject to my verifying the numbers of the passengers at fighting rates is according to the percentages in G. N. 593 as follows:

Anchor Line	3.74%	=	\$ 514.40
Cunard Line	14.37%	=	" 1976.45
Hapag	11.75%	=	" 1616.10
Nasm	5.80%	=	" 797.73
Lloyd	17.86%	=	" 2456.46
Red Star Line	8.14%	=	" 1119.58
White Star Line	14.73%	=	" 2025.96
American Line	8.29%	=	" 1140.21
Dominion Line	1.44%	=	" 198.06
Canpac	4.26%	=	" 585.92
Transat	4.87%	=	" 669.82
Austro	1.82%	=	" 250.32
Russamerica	2.93%	=	" 402.99
	100.00%		\$13754.00

12662

On this occasion I beg to revert to Annex 2 to G. No. 249 of Sept. 4th 08. The bill of the Red Star Line of said date has been rectified in the way that the number of passengers is 1035½, thus reducing the amount of compensation by \$12 to \$4142.— The distribution of said amount over the percentages in G. 318 is:

12663

			to be paid	paid	Difference to be refunded
Allan Line	4.42%	=	\$ 183.08	\$ 183.60	\$ 0.52
Anchor Line	3.51%	=	" 145.38	" 145.80	" 0.42
Cunard Line	13.50%	=	" 559.17	" 560.79	" 1.62
Hapag	11.03%	=	" 456.86	" 458.19	" 1.33
Nasm	5.45%	=	" 225.74	" 226.39	" 0.65
Lloyd	16.77%	=	" 694.61	" 696.63	" 2.02

12664

Petitioner's Exhibit 1342

Red Star Line	7.64%	=	"	316.45	"	317.37	"	0.92
White Star Line	13.83%	=	"	572.84	"	574.50	"	1.66
American Line	7.78%	=	"	322.25	"	323.18	"	0.93
Dominion Line	1.34%	=	"	55.50	"	55.66	"	0.16
Canpac	4.01%	=	"	166.10	"	166.58	"	0.48
Transat	9.02%	=	"	373.61	"	374.69	"	1.08
Austro	1.70%	=	"	70.41	"	70.62	"	0.21
	100.00%			\$4142.00		\$4154.00		\$12.00

12665 By the above difference the amount due to the Red Star Line is to be reduced, so that the payments to be made are as follows:

by Anchor Line	\$ 513.98
Cunard Line	" 1974.83
Hapag	" 1614.77
Nasm	" 797.08
Lloyd	" 2454.44
Red Star Line	" 1118.66
White Star Line	" 2024.30
American Line	" 1139.28
Dominion Line	" 197.90
Canpac	" 585.44
Transat	" 668.74
Austro	" 250.11
Russamerica	" 402.99
	\$13742.52

12666

I beg to request to remit the above amounts to the Red Star Line and the latter will please refund \$0.52 to the Allan Line.

Respectfully,

(Stamped): North Atlantic, Passenger Conference.
 Received 11/10 1909. Ackn'd 1909. An-
 swered 1909.

Petitioner's Exhibit 1438.

12667

G. No. 615.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 9th, 1909.

To the Parties:

Byelaw 126. (G. No. 608)

12668

The Norddeutscher Lloyd write:

"Referring to Bye-law 126 as drawn up in circular 608, we take it as selfunderstood that third class passengers to and from Madeira are also excluded from Agreement A.A. We would propose to have them added under the above clause so as to be sure that there can be no misunderstanding about this point."

Anticipating no objection to the above insertion in Byelaw 126 I shall alter it accordingly.

Respectfully,

12669

12670

Defendants' Exhibit 172.*G. No. 616.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 11th, 1909.

To the Parties:

North West Transport Line. (G. No. 609)

12671

The 237 steeragers which S.S. "Uranium" forwarded from Rotterdam on October 4th to Halifax and New York were composed as follows:

	to New York	to Canada	Total
from Russia	88	8	96
" England	2	57	59
" Austria	34	1	35
" Hungary	22	—	22
" Bulgaria	9	—	9
" Germany	9	—	9
" Italy	2	2	4
" Holland	1	—	1
" Sweden	1	—	1
12672 " Roumania	1	—	1
	—	—	—
	169	68	237
	—	—	—

The S.S. "Napolitan Prince" which sailed September 26th from Newyork (G. No. 603) landed her passengers in the usual way on October 8th at Hoek van Holland. Amongst her passengers were 30 Armenians who were not admitted at Halifax.

Respectfully,

Defendants' Exhibit 173.

12673

G. No. 617.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 11th, 1909.

To the Parties:

Cunard Lines Prepaid rate for Russian steeragers.

By Request of the Cunard Line I circulate the following correspondence:

On August 9th I received from Mr. Smyth the following telegram: 12674

1)

"Cunard advance Continental prepaid Liverpool service two dollars, Russian two dollars additional."

of which I informed the Continental Lines.

2) Hapag to Secretary: 10/8.

"What do last four words mean? As they read we must suppose that Cunard intend to apply a special rate by two dollars higher than for other Continentals."

12675

3) Secretary to Cunard: 10/8.

"Your advance continental prepaids. What special include the two dollars additional for Russians."

4) Cunard to Secretary: 11/8.

"Your telegram Russian prepaids don't quite understand nature of enquiry, kindly explain."

12676

Defendants' Exhibit 173

5) Secretary to Cunard: 11/8.

"Explanation is wanted why Russian prepaids are charged a differential against other Continentals."

6) Cunard to Secretary: 11/8.

"The expense of two dollars extra for Russian passengers is applied for same object as that of Continental Lines of which you must be aware."

12677

7) Secretary to Cunard: 12/8.

"Referring to the telegrams exchanged with regard to your extra charge for prepaids from Russia and your last telegram in which you say, that the 2 Dollars are applied for the same object as that of Continental Lines, I beg to say that of course I am aware that the Continental Lines make this extra charge for board & lodging in the port of embarkation for prepaids and for cash passengers as well. I was however under the impression that this was already included in your Continental rates and will thank you for informing me if that is a mistake.

12678

"I beg to draw your attention to Art. 15 which fixes the equivalents between cash and prepaid rates."

8) Cunard to Secretary: 16/8.

"We are in receipt of your letter of the 12th instant, concerning Russian Prepaid Passengers. Answering your query, the extra charge to which you refer has not hitherto been included in our Passage Rates.

"With regard to your reference to Article 15, we may say that as far as we are aware,

Defendants' Exhibit 173

12679

our prepaid rates have never been below our cash parity. A similar instance has been in operation before."

9) Secretary to Cunard: 18/8.

"Your favor of 16th instant. Am I right in assuming that the extra Charge of \$2 entitles the holders of such prepaids to free board and lodging in the Continental port of embarkation?"

"I note that your prepaid rates have never been below your cash parity but that is not the point. Cash and prepaid rates must be on parity and therefore if you quote a net rate off Havre of Frcs 165.25 your corresponding prepaid rate must be \$36½ and not \$46½, or if you quote a prepaid rate of 45½, your cash rate must be 190 Marks gross or something like Frcs 220 net. If you refer to similar instances of imparity having been in operation before I would say that deviations from the terms may be tolerated as long as no party objects. Objections are now made and I am to protest on the part of Continental Lines."

12680

10) Cunard to Secretary: 26/8.

12681

"Replying to your letter of the 18th inst. we shall be glad to know for what purpose you require the information from us. In any case your assumption is not correct.

"In regard to the second paragraph of your letter Article 15 of Agreement A.A. is simply a table of equivalents, so that there may be no mistake on the part of any Line in knowing exactly what 100 Marks and upwards represent in United States currency. We have perfect liberty to make our prepaid rates more

Defendants' Exhibit 173

12682

than our cash if we so desire. We have no knowledge of having deviated from the terms of Agreement, and cannot now in view of the fact that this practice has already been in existence, appreciate any objection."

11) Hapag to Secretary: 25/8.

12533

"From the enclosed circular we gather that the Cunard Line have fixed for Russian Pre-pays a rate which is \$2.— higher than the fare which they are otherwise quoting. This proceeding cannot fail to create the impression that the Cunard Line in view of the cholera-reports are anxious to reduce their transportation of emigrants of Russian origin. But according to the contract it is neither permissible for a party to shut itself off from the transportation of certain nationalities nor for it to quote special rates without the consent of the other parties. The action of the Cunard Line seems to us in disaccordance with Article 15 and Byelaw 18. We should be obliged, if you would induce the Cunard Line to explain what their intention are with regard to the quotation of the rate in question and whether in view of Article 15 and Byelaw 18 there is some mistake on their part." (Communicated to Cunard August 28th.)

12684

12) Cunard to Secretary: 30/8.

"We are in receipt of your letter of the 28th August, which has crossed ours of the 26th Aug. Copy of letter from the Hamburg Amerika Line is noted. We think the Hamburg Amerika Line will find on reference to their circulars that the arrangement under discussion is one they have in operation them-

Defendants' Exhibit 173

12685

selves, and therefore we do not understand their remark concerning Byelaw 18."

13) Secretary to Cunard: 3/9.

"Your favor of 26th August.

"With regard to Art. 15 you are of opinion that you have perfect liberty to make your prepaid rates more than your cash if you so desire. That is a mistake. If Art. 15 in itself were not clear enough Byelaw 1 will show you, that you have such liberty only during a fixed short period."

12686

14) Secretary to Cunard: 6/9.

"With reference to your favor of 30th August, which I communicated to the Hamburg American Line, they write me as follows:

"In receipt of your favor of the 2nd instant we would ask you to reply to the Cunard Line, that we are not aware of having in operation ourselves the arrangement of which an explanation from the Cunard Line was desired, and that we should not consider it right, if we had. In the present case, however, it is not a question of what the Hamburg American Line does, but a question of an action of the Cunard Line. When the Cunard Line finds anything in our quotation which in their opinion is not correct, we expect them to call our attention to it, so that we may be enabled to rectify if necessary, just as we have pointed out to the Cunard Line something which we do not consider correct. Therefore, it is for the Cunard Line either to rectify the matter if a mistake was made, or if it was not a mistake that led to the rate under discussion, but

12687

12688

Defendants' Exhibit 173

a design, to explain on which regulation of our agreements they based their action.'

"We now hope to receive the Cunard Line's explanation.'

15) Cunard to Secretary: 3/9.

12689

"Thanks for yours of the 3rd September. We think that possibly you do not quite appreciate our position. As you are aware, we have been overcarrying westbound for some time past, and it is, therefore, necessary for us to take what measures we deem fit to correct the position. Our sales of Russian pre-pays have been considerable, and noticing that the Continental Lines charge a higher rate for Russian passengers, we have taken the same course. Our cash rates however being already £8 or over, we do not propose to advance them further at present."

16) Cunard to Secretary: 9/9.

12690

"We beg to acknowledge the receipt of your letter of the 6th instant, and note communication which you have received from the Hamburg Amerika Line. In letter received with yours of the 28th August, the Hamburg Amerika Line referred us to Byelaw 18, which relates to the quotation of special rates. Seeing that the Hamburg Amerika and other Continental Lines quote rates on similar basis for Russian passengers we cannot follow the application of their reference."

17) Lloyd to Secretary: 13/9.

"We have taken due note of the correspondence passed between yourself and the Cunard Line with regard to the special rate quoted by

Defendants' Exhibit 173

12691

the Cunard Line for Russian prepaids and regret to say that we consider the explanation given by them as entirely unsatisfactory.

"Art. 15 says that the Cash Steerage Rates and the American Prepaid Rates *shall* be established on certain equivalents. We do not think that this can be interpreted to mean that each Line may adopt other equivalents than those expressly stipulated.

"The quotation of a higher rate for Russian business than for other Continental traffic over the same ports constitutes another infraction of the Contract against which we must likewise protest. If the Cunard Line say that the Continental Lines charge also higher rates for Russian passengers, this statement is certainly not correct so far as our Line is concerned. Our rates for Russian passengers are exactly the same as for all other business. The collection of an extra amount of \$2 on prepaids, and of a similar amount on cash tickets from Russia, to cover board and lodging at the port, which expenses passengers of other nationalities have to pay out of their own pocket, has nothing whatever to do with the rate, and if the Cunard Line adopt the same course, we shall certainly not object, provided the amount charged for board & lodging is a reasonable one. We can, however, not admit that the Cunard Line charge special rates for Russian passengers which in our opinion is quite incompatible with the terms and spirit of the Contract."

12692

12693

18) Secretary to Cunard: 13/9.

"I beg to acknowledge receipt of your favor of 9th instant, which I duly communicated to the Hamburg American Line. In reply they

12694

Defendants' Exhibit 173

revert to their letter of 3rd instant contained in my respects of 6th inst. and write:

12695

"The Cunard Line's letter of the 9th instant we cannot consider as a reply to the enquiries made in our letter of the 3rd instant. Instead of replying to the letter the Cunard Line revert to our letter of August 25th. Under these circumstances we beg you to ask the Cunard Line to give a reply to the questions asked in our letter of the 3rd instant, stating whether a mistake was made and if not explaining on which regulation of our agreement they based their action."

19) Cunard to Secretary: 2/10.

12696

"Your favor of the 15th September to hand, and we note the remarks of the Hamburg Amerika Line in connection with our Russian Prepaid Rates. We thought we had made the matter quite clear in ours of the 8th September, and have really nothing further to say. The Hamburg Amerika Company's letter of September 3rd we dealt with in ours of September 9. Apparently they had no grounds for suggesting that we had infringed Byelaw 18.

"As regards the letter from the Norddeutscher Lloyd, we do not think we can add anything to what we have already written. They admit that they are charging more for Russian passengers than for other nationalities, which is the point we have emphasized in our communications."

20) Secretary to Cunard: 2/10.

"From a circular of your Newyork Agents dated September 2nd I note that your rate

Defendants' Exhibit 173

12697

from Libau to Newyork and Boston direct will be \$48.50. In a handbill dated September 15th the same rate is quoted. I do not find that I have been previously informed of this alteration (Art. 12) nor can I trace that I have received these printed matters and circulars. (Art. 16b.)

"Further I have to point out, that this rate of \$48½ is \$5 higher than the equivalent of your cash rate of M 180 which is \$43½. (Art. 15.)

"In reply to your letter of September 22nd Lloyd write:

12698

"We do not find that there is anything contained in our letter which would bear out the Cunard Line's statement that we had admitted to charge more for Russian steeragers than for those of other nationalities. On the contrary, we have expressly stated that "our rates for Russian passengers are exactly the same as for all other business," and we fully uphold this statement. We repeat that the collection of an additonal sum from certain passengers for which the latter receive the equivalent in the shape of free board and lodging at the port, which other passengers from whom this additional payment is not collected have to defray themselves, has nothing whatever to do with the passage money. The latter, we repeat, is in the case of our company always the same for all passengers travelling in the same class. We understand, however, that this is not the practice with the Cunard Line who charge a higher ocean rate to Russian passengers than to those of other nationalities, without offering them any facilities which other passengers

12699

12700

Defendants' Exhibit 173

paying a lower rate, do not also enjoy. We maintain that this is contrary to Byelaw 18 and must reserve all our rights in this respect.'

"The Holland America Line fully endorse the opinion of the North German Lloyd and the Hamburg-American Line with regard to your steerage prepaid rate for Russian passengers."

21) Cunard to Secretary: 6/10.

12701

"We have your letter of the 2nd October regarding our rate from Libau to New York and Boston, but do not quite understand what alteration it is that you refer to, as we have made no alteration in these rates since our advice to the British Lines' Conference Secretary of the 6th Aug. '09. Perhaps you will kindly send us the circulars to which you refer, when we will have the matter looked into.

12702

"We note your further remarks concerning our prepaid rates; also the communication from the Norddeutscher Lloyd. There does not, however, appear to be anything fresh in what they write. In the correspondence we have had with you we have given you our views and explained our position, which we maintain is quite in accord with our obligations under Agreement AA and the Byelaws.

"We further observe what you say in regard to the opinion of certain of the Continental Lines. We do not know whether you have circulated the correspondence to all the Conference Lines, but if not we think you should do so, seeing that the interest in the subject is not confined to the Continental Lines."

Respectfully,

Defendants' Exhibit 174.

12703

G. No. 618.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 12th, 1909.

To the Parties:

North West Transport Line.

12704

S.S. "Vulturno" sailed from New York October 9th with 182 steeragers at \$16 net; her opposition steamer "Graf Waldersee" got 425 steeragers at \$22 less \$2 commission.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 14 Oct. 1909. Ansd.

12705

12706

Petitioner's Exhibit 1439.*G. No. 619.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 13th, 1909.

To the Parties:

II class rates Russian America Line. (G. No. 606)
12707

The desire has been expressed to discuss the matter at the next meeting when also the question of the Russian American Line and the cabin agreements should be ventilated.

I noted the subject for the Agenda.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 15 Oct. 1909.

12708

Petitioner's Exhibit 1440.

12709

G. No. 620.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 14th, 1909.

To the Parties:

Donaldson Line Eastbound. (G. No. 611)

12710

Of the parties who have expressed themselves on the subject, some are of the opinion, that the Donaldson Line should be granted their wish to carry a few more passengers above 200, another Line desires, that the passengers carried in excess should be compensated with £4. The wish is also expressed to have the matter postponed for discussion at the next meeting.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 16 Oct. 1909. Ansd.

12711

12712

Defendants' Exhibit 175.*G. No. 621.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 18th, 1909.

To the Parties:

North West Transport Line. (G. No. 618)

Following is circular I received:

THE NORTHWEST TRANSPORT LINE

12713

Dear Sir:

Please note that Steamer "Volturno"
 sails from New York, October 9th, 1909.

RATES OF PASSAGE

From New York to Rotterdam \$25.00
 To Antwerp \$26. To Bremen "27.
 To Hamburg \$28.00

12714

(Cut of
Steamer)

Extra cheap to Berlin, Wien, Budapest,
 Temesvar, Szegedin, Kraukau, Oder-
 berg, and all other parts of the old
 country.

Chicago to New York \$16; fast trains
 without change of cars; \$2.00 Commission
 allowed for every passenger secured
 through your influence.

Cabin Passage, \$45.00.

Steamer is provided with large outside
 cabins, excellent cuisine, large spacious
 decks—average time: 9 days across the
 ocean.

Petitioner's Exhibit 1441

12715

for further particulars ANTON BOENERT
 apply to UNION TICKET OFFICE General Passage
 Agent

266 South Clark Street; near Van Buren Street
 Hotel Kaiserhof Telephone Harrison 5541
 Chicago, October 1, 1909.

Respectfully,

Petitioner's Exhibit 1441.

12716

G. No. 622.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 18th, 1909.

To the Parties:

*N. W. T. L. Lozantscheff Frères, Monastir. (G.
 610)*

12717

The Cunard Line write:

"We are favoured with your G. No. 610
 of the 5th instant on the above matter, and
 note the answers received from the Red Star
 Line and Norddeutscher Lloyd.

"As regards the former Line's communica-
 tion, may we be allowed to remark that we
 have never proposed the disqualification of the
 firm of Lozantscheff Frères. In the interests

Petitioner's Exhibit 1441

12718

"of the Lines we have merely mentioned to the Secretary that this firm is reported as being in communication with the North West Transport Line, and we suggested that the matter should be looked into. In none of the communications that have been circulated have we seen it denied that Lozantcheff have had dealings with the North West Transport, nor has it been made clear that the subject has been thoroughly investigated. If, however, the Lines have no wish to look further into the case we will not pursue it.

12719

"We note that the Red Star Line have always submitted proofs for disqualifications proposed by them.

"In the case of the Union Ticket Office referred to by the Norddeutscher Lloyd, the Lines concerned have given every consideration to the statements of the Continental Lines, and, as is well known, have gone into the matter at great length, but are satisfied that the firm in question have so far done nothing worthy of disqualification. The difference between the cases will be obvious."

12720

Respectfully,

Defendants' Exhibit 176.

12721

G. No. 623.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 19th, 1909.

To the Parties:

North West Transport Line. (G. No. 621)

12722

S.S. "Napolitan Prince" sailed Saturday 16th instant from Rotterdam to New York via Canada with 15 cabin passengers and 302 steeragers, of which 118 for Halifax.

Respectfully,

12723

12724

Defendants' Exhibit 177.*G. No. 624.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 19th, 1909.

To the Parties:

12725 *Compensation S. S. Birma August 21st. (G. No. 592.)*

With reference to the claim of the Russian American Line for compensation for passengers booked by the Birma to Libau, I received information that the Libau rate was not discussed by the Small Committee but that it appeared to be unanimous in accepting the basis of settlement at \$2 per adult for each Libau fare; under the usual reserve of the verification of the numbers of passengers. I therefore beg to submit the following bill for passengers by the Birma:

	For 416 ad. 53 chldr. 25 inf. — 442 1/2	
	adults to R'dam at \$6 =	\$2655.
12726	For 52 ad. 4 chldr. 7 inf. — 54 adults to	
	Libau at \$2 =	108.
		<hr/>
		\$2763.
	In order to rectify as per G. 593 the distribution in G. 561 there must be added	\$4685.
		<hr/>
	Total:	\$7448.

which distributed over the percentages as per G. No. 593 gives credit to the Russian American Line:

Defendants' Exhibit 177

127

			for	paid as per G. 561
by Anchor Line	3.74%	=	\$ 278.56	\$ 175.22
Cunard Line	14.37%	=	1070.28	674.17
Hapag	11.75%	=	875.14	550.96
Nasm	5.80%	=	431.98	271.73
Lloyd	17.86%	=	1330.21	837.21
Red Star Line	8.14%	=	606.27	381.36
White Star Line	14.73%	=	1097.09	691.04
American Line	8.29%	=	617.44	388.85
Dominion Line	1.44%	=	107.25	67.46
Canpac	4.26%	=	317.29	200.05
Transat	4.87%	=	362.72	228.16
Austro	1.82%	=	135.55	85.27
Russ. American Line	2.93%	=	218.22	133.52
	100.00%	=	\$7448.00	\$4685.00

127

So there remain to be paid:

By Anchor Line	\$ 103.34
Cunard Line	396.11
Hapag	324.18
Nasm	160.25
Lloyd	493.
Red Star Line	224.91
White Star Line	406.05
American Line	228.59
Dominion Line	39.79
Canpac	117.24
Transat	134.56
Austro	50.28
Russian American Line	84.70
	\$2763.00

127

Which amounts the Lines will please remit to the
Russian American Line at Libau.

Respectfully,

12730

Petitioner's Exhibit 1442.*G. No. 625.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair." Jena.

Jena, October 22nd, 1909.

To the Parties :

Scandinavian American Line.

12731

Since August 1st up to October 15th the Scandinavian-American Line have forwarded westbound 4637 steeragers. During the same period the A. C. Lines carried 85184 steeragers.

The corresponding figures eastbound are for the Scandinavian American Line 1530, for the A. C. Lines 34035.

This means that through Agreement C. C. not having been completed the Atlantic Conference Lines lost from August 1st to October 15th 2212 steeragers or their equivalent westbound and 285 eastbound.

Respectfully,

12782

Defendants' Exhibit 178.

12733

G. No. 626

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 23rd, 1909.

To the Parties:

North West Transport Line. (G. No. 623.)

12734

The 302 steeragers which S. S. "Napolitan Prince"
 forwarded from Rotterdam on October 16th to Hali-
 fax & New York were composed as follows:

	<i>to New York</i>	<i>to Canada</i>	<i>Total</i>	
From Russia	126	8	134	
" England	—	71	71	
" Hungary	44	—	44	
" Austria	44	—	44	
" Germany	5	—	5	
" Turkey	2	—	2	
" Bulgaria	1	—	1	12735
" Holland	1	—	1	
	<hr/> 223 <hr/>	<hr/> 79 <hr/>	<hr/> 302 <hr/>	

Respectfully,

12736

Petitioner's Exhibit 1443.

G. No. 627.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 23rd, 1909.

To the Parties:

12737

Donaldson Line eastbound passengers. (G. No. 620.)

I beg to inform that after consulting the Continental Lines all Lines are now agreeable to concede to the Donaldson Line during 1909, 50 more passengers than provided for in Minute 5 of Appendix 3 to Agreement Z. The reserve is made, that this concession shall form no prejudice for the future.

Respectfully,

12738

Defendants' Exhibit 179.-

12739

*G. No. 628.***ATLANTIC CONFERENCE.**

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 23rd, 1909.

To the Parties:

Final Statistics for 1908.

12740

According to the Final Summary of Monthly Adjustment-Statements for December, 1908, I beg to request the Parties to make the following payments:

Allan Line to American Line	£ 124.—.—
" " to Anchor Line	" 8.—.—
Cunard Line to Continental Lines ...	" 28.—.—
" " to Anchor Line	" 8.—.—
" " to Dominion Line	" 28.—.—
" " to White Star Line	" 80.—.—
Canadian Pacific Ry. Co. to Continental Lines	" 476.—.—

12741

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Recd. 25 Oct. 1909 Ackd. Ansd.

(Stamped): North Atlantic Passenger Conference.
 Received 1909 Acknl'd. 1909 Answered 1909

4247

12742

Petitioner's Exhibit 1444.*G. No. 620.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 25th, 1909.

To the Parties:

N. W. T. L. Lozantsheff Frères, Monastir.
(G. No. 622.)

12743

The Red Star Line write:

"We note what the Cunard Line says. As the Lines know, we are checking as far as possible the passengers passing through Antwerp, but up to the present we have not come across any passengers booked by the firm Lozantsheff Freres for the North West Transport Line, which we think would have been the case if Lozantsheff Freres were working for the said Company as passengers from Macedonia regularly travel via Basel & Antwerp to Rotterdam. Of course we do not consider this fact as being a proof that the firm in question has no dealing with the N. W. T. Line but on the other hand the Cunard Line has also not furnished any proofs that Lozantsheffs are really in relations with the N. W. T. Line. All that has been submitted is a communication that the firm has been reported to the Cunard Line as being in connection with the Company named.

12744

"The Cunard Line says that the difference between the cases, Lozantsheff & the Union

Petitioner's Exhibit 1445

12745

Ticket Office, is obvious. Indeed the difference is obvious since in the case of Lozantsheff no evidence at all has been given whilst as regards the Union Ticket Office quite a number of proofs have been submitted & even documents."

Respectfully,

Petitioner's Exhibit 1445.

12746

G. No. 630.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 26th, 1909.

To the Parties:

North West Transport Line. (G. No. 626.)

I received following cable from New York 25th instant:

12747

"Uranium 173 Zeeland 556 including 513.
22 net."

I am not sure what "including 513" means, but suppose, that these are steeragers booked at the fighting rate of \$24, and that the rest, 43 steeragers are booked at the regular rate.

Respectfully,

12748

Petitioner's Exhibit 1446.*G. No. 631.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 26th, 1909.

To the Parties:

Net rates. (G No. 519.)

12749

From Mr. Smyth I receive the following letter:

"In reference to your circular letter G. No. 519 of the 7th July, herein, I am desired to say that the British Lines are not unanimous regarding the practicability of making any change in the method of quoting net rates for the special business to which these rates apply under the prevailing conditions."

It is now for the Continental Lines if they will let the matter rest for the present.

Respectfully,

12750

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 28 Oct. 1909. Ansd.

Petitioner's Exhibit 1447.

12751

G. No. 632.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 28th, 1909.

To the Parties:

North West Transport Line. (G. No. 630.)

12752

S. S. "Vultarno" which left New York on October 9th landed her passengers, 215 steeragers and 10 cabin passengers, in the usual way at Hoek van Holland on 22nd instant.

Respectfully,

12753

12754

Defendants' Exhibit 180.*G. No. 633.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, October 29th, 1909.

To the Parties:

Final Statistics for 1908.

12755

I received the following letter from the Allan Line:

"We have to acknowledge receipt of your circular letter of 23rd instant, G. No. 628, and, under another cover, we have also received the 'Final Statements for December, 1908.' We regret, however, that we cannot accept these as correct, as the figures have not been adjusted to cover our Claim for the 155 Newfoundland passengers erroneously included in our Pool Statements for 1908, as per our letters to you of 30th March and 6th April last."

12756

On this subject I beg to refer to G. No. 416. I propose to put it on the Agenda of the meeting of November 25th and if the Lines cannot agree then, it is the right of the Allan Line to have it decided by arbitration.

Respectfully,

Petitioner's Exhibit 1448.

12757

G. No. 634.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 29th, 1909.

To the Parties:

North West Transport Line. (G. No. 626.)

12758

According to information I received from the Red Star Line there passed 337 passengers for the North West Transport Line through Antwerp from 16th till 27th instant. No doubt, that the next departure will show again a good result for the North West Transport Line. As shown in Statistics Forms 25/26 the N. W. T. L. have in this year nearly 10,000 passengers withdrawn from the A. C. Lines.

Respectfully,

12759

12760

Petitioner's Exhibit 1449.

G. No. 635.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, October 30th, 1909.

To the Parties:

12761

North West Transport Line. (G. No. 634.)

The Red Star Line send another report of 82 passengers for the North West Transport Line which brings the number together with yesterday's reports up to 409 passengers; 394 of them were forwarded through the Universal Reisebureau.

Respectfully,

12762

Petitioner's Exhibit 1450.

12763

G. No. 636.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, October 30th, 1909.

To the Parties :

Appointment S. S. Russia against N. W. T. L.
(G. 595.)

12764

The Russian America Line telegraphed today as follows :

"Agree Russia fighting steamer against compensation basis \$30 Rotterdam \$37 Libau other conditions as per byelaw 22 please cable New-york accordingly."

As I inferred from the above telegram that it was on request of the Small Committee that the Russia was asked for as opposition steamer and in view that she was also the cheapest steamer I wired to New-york to oppose the Russia to the outsider, I trust therefore that there will be no objection to settle an eventual bill of compensation for the Russia on the basis of Byelaw 22. The Russia is advertised to leave Newyork on the 6th of November.

12765

Respectfully,

12766

Petitioner's Exhibit 1451.*G. No. 637.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 1st, 1909.

To the Parties:

Dominion Lines' shortage westbound.

12767

On October 23rd I was asked by some of the Continental Lines to request the Dominion Line to reduce their Continental rate by 20 Marks for adjustment purposes. In my letter to Messrs. Ismay, Imrie & Co. on the subject I pointed out that this measure at the same time would have the effect to meet the competition of the North West Transport Line.

In pursuance to the above I beg to promulgate the following correspondence:

1) Dominion Line to Secretary October 26th:

12768

"We have your favor of the 23rd inst. addressed to Messrs. Ismay, Imrie & Co. which has been handed to us for attention, and note the suggestion of the Continental Lines with regard to our rate from Continental ports.

"We are pleased to observe the result of the reduction we have made and hope that the passengers we are drawing in consequence via Liverpool will have the effect of keeping business from the North West Transport Line, except when they carry it at unremunerative rates.

"Our rate of M. 130 we may say leaves less than £ 4 nett to the ship per adult, but we should nevertheless, if requested by Conference and compensated the difference by the Conference as a whole, be prepared to make a further reduction of M. 20 as a fighting measure.

"In considering the situation, however, the question occurs to us if it would not be more economical for the North German Lloyd to take some special step in this direction, seeing that they are also very large minus parties in the A. C."

12770

In reply to this letter wired:

2) Hapag October 30th:

"Sorry must protest against Dominion Lines' standpoint Dominion not making a concession by reducing but according Article eleven paragraph a are bound to do so without compensation referring to weekly statistic thirty-nine Dominion's shortage reached 6576 October twenty-third this shows that Dominion's efforts bringing about adjustment in past ten months have been in vain propose Dominion reduces immediately and in case refusal propose to decide matter by vote other lines as per commentary article eleven paragraph c and d."

12771

which I passed on to the Dominion Line.

On the same subject I received the following letters:

3) From Norddeutscher Lloyd: October 30th:

"We have taken due note of the Dominion Line's letter to you of 26th instant from which we regret to note that the Dominion Line in spite of their enormous shortage—being almost

Petitioner's Exhibit 1451

12772

40% behind their share—and notwithstanding the fact that their rate is still 30 shillings above the minimum stipulated in § 2 of the commentary to article 11, have refused to reduce their rate by 20 shillings unless compensation be paid to them by the A. C. Lines for the difference between their present and the reduced rate. We trust that, after further consideration, the Dominion Line will agree that their attitude is not in accordance with article 11 Agreement A. A. and that some drastic measure is necessary to reduce their shortage to a reasonable figure at least.

12773

"As to our own position, we beg to observe that our shortage is less than 4% of our share so it cannot be compared in any way with that of the Dominion Line. In spite of this, however, we have advised you on October 27th that we had reduced our westbound rates all round by 10 Marks with the only exception of our New York express service. We shall be glad to hear that the Dominion Line have followed our example."

4) From Hamburg-America Line October 31st:

12774

"Against the standpoint which the Dominion Line adopts we are to our regret compelled to protest. In view of its present pool-standing, the Dominion Line is not making any concessions in reducing their rates, but is bound by pool-agreement to do so, without any compensation. Article 11 provides that each party is in duty bound to adopt measures calculated to bring about a correct adjustment. No. 39 of the weekly statistics shows that Dominion Line fell behindhand more and more from week to week till on October 23rd it reached

the lowest shortage of 6576. Consequently the measures taken by the Dominion Line to bring about an adjustment, had been without effect for ten months. By the attitude hitherto adopted by the Dominion Line, not only the desired adjustment, has not been brought about until now, but also many passengers who, if a reduction had been made in due time, would have been secured for the Dominion Line have fallen into the hands of the North West Transport Line and have consequently been lost for the Atlantic Conference. A reduction to only £ 6—./— would today no longer suffice to get the Dominion Line out of their minus by the end of the year. To achieve this the Dominion Line will have in our opinion to reduce to at least £ 5—./—. In order to come to a decision in this matter we propose by virtue of article 11, Paragraph b, the Dominion Line should reduce its rate immediately. In case of refusal we move the taking of votes in accordance with Commentary to Article 11, Paragraph c and d."

12776

Respectfully,

12777

Petitioner's Exhibit 1343.

12778

G. No. 638.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 3rd, 1909.

To the Parties:

Appointment S. S. Russia against N. W. T. L.
(G. No. 636.)

12779 The Russian American Line write under date of
 October 30th:

(Translation) "According to a telegram received from Newyork it seems, that the Small Committee is willing to compensate also the difference in the Libau rate and that the Russia is asked for as fighting steamer against the N. W. T. L. Under the circumstances we wired you:

"Agree Russia fighting steamer against Compensation basis \$30 Rotterdam \$37 Libau other conditions as per Byelaw 22. Please cable Newyork accordingly.'"

12780

"which we confirm:"

On the subject of the Nordd. Lloyd communicate that they and other Lines must object against any compensation on basis of \$37 to Libau which according to their inference from G. No. 636 the Russian American Line expected. I wired the Russian American Line this objection.

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 5/11 1909 Ackn'd 1909 An-
 swered 1909

Petitioner's Exhibit 1452.

12781

G. No. 639.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 4th, 1909.

To the Parties:

Net rates. (G. 631.)

12782

The Holland America Line write:

"G. 519. The opinion of the Lines on the subject being apparently too wide apart to afford a reasonable chance of coming to an understanding by correspondence, we beg to suggest that the matter be placed on the docket of the next meeting."

If the Lines are agreeable I shall put the subject on the Agenda of the next meeting.

Respectfully,

12783

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 6th Nov. 1909 Ansd.

12784

Petitioner's Exhibit 1453.*G. No. 640.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, November 8th, 1909.

To the Parties :

North West Transport Line (G. No. 635).

12785

The Red Star Line report 289 passengers for the North West Transport Line which passed Antwerp on their way to Rotterdam from Octbr. 29th, till Nov. 6th; 19 of them were from P. Staehli, Basle, 4 from Jerone Krakau, the others were transited by the Universal Reisebureau, Vienna.

Respectfully,

12786

Defendants' Exhibit 181.

12787

G. No. 641.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 8th, 1909.

To the Parties:

North West Transport Line. (G. No. 640.)

Westbound.

12788

The Parties are informed that

S. S. "Volturno" sailed October 30th from Rotterdam to Canada & U. S. A. with 614 (613) steeragers which were composed as follows:

to U. S. A. to Canada total

From Russia	318	20	338	
" Austria (mostly all from Galicia)	134	1	135	
" England	1	81	82	
" Hungary	45	1	46	
" Italy	—	7	7	
" Germany	3	—	3	12789
" Holland	1	—	1	
" Roumania	1	—	1	
	<hr/>	<hr/>	<hr/>	
	503	110	613	
	<hr/>	<hr/>	<hr/>	

Eastbound.

S. S. "Uranium" which left New York on 25th October landed her passengers, about 170, in the usual way at Hoek van Holland on 4th instant.

Respectfully,

12790

Petitioner's Exhibit 1454.*G. No. 642.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 9th, 1909.

To the Parties:

North West Transport Line. (G. No. 638.)

Under date of 3rd instant the Russian American
 Line write:

12791 (Translation.)

"We thank you for your telegram:

"'G. 636 Compensation Russia Basis \$37
 Libau is objected to Lines cannot go beyond
 compensation according Byelaw 22,' the latter
 part of which is not quite comprehensible for
 in the case of the Birma one has compensated
 us the Libau rate on basis of \$37.

"We regret therefore not to be able to place
 the Russia at the disposal of the Small Com-
 mittee."

On receipt I wired the Russian America Line:

12792

"If not already done suggest not to with-
 draw Russia; inquire whether parties accept
 compensation basis action Small Committee"

of which I informed the parties by the following
 telegram:

"G. 638 Compensation Libau not being
 granted Rusameriko withdraw Russia latter
 sailing morrow I asked Rusasiatic not to with-
 draw Russia pending enquiry whether Lines
 will accept settlement basis action taken by
 Small Committee do you agree?"

Defendants' Exhibit 182

12793

In reply all Lines agreed except Hapag and Lloyd, from which no replies were received.

As the Russia was appointed to sail on 5th instant, I was not able to eventually detain the Russia America Line from withdrawing the Russia.

Respectfully,

Defendants' Exhibit 182.

G. No. 643.

12794

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, November 9th, 1909.

To the Parties:

Payments for October.

According to Form 30 No. 10 I beg to request the Parties to make the following payments for October:

Allan Line to Continental Lines	£ 2141	
Allan Line to Dominion Line	" 219	12795
Allan Line to Cunard Line	" 971	
Allan Line to Canadian Pacific Ry. Co.	" 984	
Anchor Line to Dominion Line	" 379	
American Line to Continental Lines	" 11689	
White Star Line to Cunard Line	" 6788	
Donaldson Line to Dominion Line	" 24	

Respectfully,

(Stamped): North Atlantic Passenger Conference
Received 11/11—1909 Acknl'd 1909 Answered
1909.

12796

Defendants' Exhibit 183.*G. No. 644.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 10th, 1909.

To the Parties:

Change in II. class rates. (G. No. 602.)

12797 The Russian American Line advanced on 9th inst.
 their second class B rate westbound from Rbl. 102 to
 Rbl. 110.

Respectfully,

Defendants' Exhibit 184.*G. No. 645.*

ATLANTIC CONFERENCE.

12798 Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 10th, 1909.

To the Parties:

North West Transport Line. (G. No. 642.)

I received information that the "Napolitan Prince"
 left New York on 6th instant with about 150 pass-
 engers at the rate of \$25 less \$3 commission, besides
 one or two dollars extra; the opposition steamer was
 the St. Paul, which obtained 391 passengers; the Con-
 tinental rate was \$24 less \$2.

Respectfully,

Petitioner's Exhibit 1455.

12799*

G. No. 646.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, November 11th, 1909.

To the Parties:

Proposed II. class Pool. (G. 492.)

12800

The White Star Line request me to circulate the attached correspondence between themselves and the Norddeutscher Lloyd in regard to the proposed Second Class Pool, which will be put on the Agenda for discussion at the A. C. Meeting on the 25th instant.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 13 Nov., 1909. Ansd.

12801

12802

Petitioner's Exhibit 1456.*Annex to G. No. 646. 11/11/1909.*

21st Oct., 1909.

Messrs. The Norddeutscher Lloyd.

Dear Sirs:

We are obliged for your favor of the 17th inst., and note your views with regard to a Second class Pool, and that you are asking Mr. Peters to place this subject on the Agenda for the next Conference.

12803

The difficulty, of course as usual in arriving at a Pool will be to agree upon a percentage basis that is satisfactory to all. For our part we have to consider our Southampton service which has only been established since the middle of 1907 and also our Canadian service; the "Laurentic" and "Megantic" having commenced running in the White Star Dominion Canadian service this year.

Assuming that a satisfactory basis can be arrived at for fixing the percentages we think a pool might be worked somewhat on the Lines as per attached memorandum. This of course is a very rough outline, but we shall be interested to hear how it appeals to you.

12804

We are quite of your opinion that a general advance of at least 20/—all around should be made in the Second Class rate. We think a Pool would secure a larger increase, but we hope that the advance of at least 20/—may be agreed, if a pool is found impossible.

Petitioner's Exhibit 1456

12805

Memorandum re Second class pool.

The lowest Second class Agreement rate is £8.

The lowest First class Agreement rate is £12. 10. 0 by the same steamer giving a difference of £4. 10. 0. In the higher rated steamers this difference is greater, until in the fastest German boats and the "Lusitania" and "Mauretania" the difference is as much as £13. 10. 0. It is proposed to fix the Second Class Pool rate as £9 or not less than £3 above the Third class rate by the same steamer whichever is highest.

The carryings to be regulated by the Lines in the plus advancing rates, but no Line need go higher than within £2 of its First class Agreement rate by the same ship. The compensation rate to be £7 per soul.

12806

The First class rate as fixed by Agreement, but if there is no Agreement must be at least £3, above the Second class rate by the same ship.

12807

12808

Petitioner's Exhibit 1457.*Annex to G. No. 646. 11/11/1909.*

Copy of letter from Norddeutscher Lloyd.

Bremen, 28th Oct., 1909.

Messrs. Ismay, Imrie & Co.,
Liverpool.

Gentlemen:

12809 We are in receipt of your favor of 21st instant re 2nd class Pool and note what you say with regard to the difficulty to arrive at an understanding regarding percentages. This difficulty is obvious but we think if all Lines bear in mind the past advantages offered by such an agreement, it should not be impossible to come to an understanding on this essential point.

We have carefully looked into the few clauses drawn up in the special memorandum attached to your letter and with reference to same beg to point out the following.

12810 You say that the lowest Second class rate should be fixed at £9 or not less than £3 above the Third class rate by the same steamer whichever is highest. We think that it is quite immaterial what rates are fixed to begin with. We would suggest to start with the present schedule raised all around by a pound or two, rates to be adjusted in future according to the position of the Line in the Pool. It would, in our opinion, not be feasible to stipulate certain minimum differentials between Third and Second class rates, as a Line may be in excess in the Third class pool and at the same time be short in the Second class pool, and if a certain differential must be maintained, it would be extremely difficult if not impossible for such Line to adjust its position in either Pool without coming into conflict with the above or other stipulations.

As regards First class, you say that no Line being in excess in the Second class pool need go higher than within £2 of its first class agreement rate by the same ship, and further that if there is no First class agreement the first class rate must be at least £3 above the Second class rate by the same ship. In our opinion neither £2 nor £3 would be a sufficient differential between first and Second class and besides this a stipulation which would compel a Line to follow any fluctuation of its Second class rates by a corresponding alteration of its first class rates would be extremely onerous. On the other hand, a second class pool could be worked quite satisfactorily in connection with a first class rate agreement, provided the rates under such agreement are fixed high enough to prevent the diversion of second class traffic into First class.

12812

As to the compensation rate £7 seems to be an adequate figure.

Yours faithfully,

(Signed.) NORDDEUTSCHER LLOYD.

12813

12814

Petitioner's Exhibit 1458.*Annex to G. No. 646. 11/11, 1909.*

October 30th, 1909.

Messrs. The Norddeutscher Lloyd,
Bremen.

Dear Sirs :

We are much obliged for your favor of the 28th inst., with regard to the proposed second class pool, and have read your remarks with very much interest.

12815

There is no doubt a great deal in the points you make in criticising the rough outline of a Pool which we sent you and while we still think there should be some provision in any second class Pool agreement that may be formed to prevent the third and second class rates overlapping and also the second and first class rates, we are not by any means wedded to our draft proposals, which however, would form a basis for discussion.

It might be well to circulate our letter and your reply before the A. C. meeting on the 25th November, as we think a Pool agreement is more likely to go through if the other Lines have an opportunity of thinking it over before the meeting.

12816

Kindly however, favor us with your view.

Yours faithfully,

(Signed.) ISMAY, IMRIE & CO.

Petitioner's Exhibit 1459.

12817

Annex to G. No. 646. 11/11, 1909.

Bremen, November 1st, 1909.

Messrs. Ismay, Imrie & Co.,
Liverpool.

Dear Sirs:

We are in receipt of your favour of the 30th ult. re formation of a second class pool, contents of which had our best attention. We have certainly no objection to your circulating, through Mr. Peters, the correspondence passed between us on this subject, and remain,

12818

Yours very truly,
(Signed.) NORDDEUTSCHER LLOYD.

Petitioner's Exhibit 1460.*G. No. 646 continued Jena 12/11, 1909.*

Bremen, October 17th, 1909.

Messrs. Ismay, Imrie & Co.,
Liverpool.

Gentlemen:

We beg to acknowledge receipt of your favor of 14th instant. According to our views the most desirable solution to overcome the present difficulties would be a 2nd class pool based upon the carryings of the Lines during the last five years or, should the Lines not be agreeable to this, a general advance of the 2nd class rate of at least 20 shillings should be agreed upon.

12819

We shall write to Mr. Peters today, requesting him to place the 2nd class question on the Agenda of next Conference.

Yours faithfully,
NORDDEUTSCHER LLOYD,
(Signed.) V. Helmolt.

12820

Defendants' Exhibit 185.*G. No. 647.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 12th, 1909.

To the Parties:

Payments to the Russian East Asiatic S. S. Co.
 12821

According to Form 35, No. 10 the Parties will
 please make the following payments to the Russian
 East Asiatic S. S. Co. at Libau for October.

Continental Lines	£ 759.
Allan Lines	" 71.
Anchor Line	" 61.
American Line	" 134.
Dominion Line	" 30.
White Star Line	" 233.
Cunard Line	" 237.
Canadian Pacific Ry. Co.	" 63.

12822

 £ 1588.

Respectfully,

(Stamped): North Atlantic Passenger Conference
 Received 15/11—1909 Ackn'd ... 1909 Answered
 ... 1909.

Defendants' Exhibit 186.

12823

G. No. 648.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, November 12th, 1909.

To the Parties:

I herewith beg to enclose the Agenda for the next
meeting which will be held on the 25th instant in 12824
London, Savoy Hotel at 10 A. M.

Respectfully,

12826

12826

Petitioner's Exhibit 1461.*G. No. 649.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 12th 1909.

To the Parties:

Net rates. (G. 630.)

12827

The Hamburg America Line write:

"We cannot consider satisfactorily the explanation transmitted by Mr. Smyth that the British Lines are not unanimous in regard to withdrawing from quoting net rates for Continental business. As already emphasized at the time Clause 14 of Agreement A. A. and also Clause 5 of Agreement Z prescribe the quoting of gross rates unless exceptions may be admitted for special considerations as foreseen in Byelaw 18, subject to previous assent of all Lines.

12828

"In case the quoting of net rates has not been discontinued in the meantime, we request you to place the matter on the Agenda of the next Meeting."

The subject is on the Agenda.

Respectfully,

Petitioner's Exhibit 1462.

12829

G. No. 650.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 12th, 1909.

To the Parties:

North West Transport Line. (G. No. 642.)

12830

The Russian American Line write:
 (Translation.)

"Fighting steamers. Your telegram:

" " If not already done suggest not to withdraw Russia; inquire whether parties accept compensation basis action Small Committee.'

is not quite clear to us, for since we authorized our Newyork agents to keep the steamer at the disposal of the Small Committee against compensation on basis of \$30 Rotterdam and \$37 Libau, we have done nothing further in the matter. We understand however that the Russia was not appointed fighting steamer.

12831

"Our principal objection against Byelaw 22 is the possibility that eventually we might be forced to accept \$25 net to Libau, since we are of the opinion that this longer voyage necessitates a higher rate than to the Continent. However without committing ourselves as to Byelaw 22 we are prepared under certain circumstances to place our steamers at the disposal of the Conference against compensation which will

Petitioner's Exhibit 1462

12832

have to be closer fixed. We learn today from New York that the S. S. 'Estonia' is desired as fighting steamer for the 20th instant and we hereby declare ourselves prepared, if the other Lines will not agree to a compensation for Libau, to accept the usual compensation on basis of \$30 to Rotterdam what you will please communicate New York. We are at a loss to understand, why we shall not be compensated for Libau, for it is yet clear that eventual Libau passengers prefer the competing steamer, if our Libau rate is higher; and on the other hand we cannot reduce our Libau rate without being compensated.

12833

"We expect to hear further from you."

In accordance with the above I telegraphed yesterday to Newyork that the "Estonia" may be selected as opposition steamer if desired.

As to the compensation for the eventual reduction of the Libau rate the parties will please communicate their views.

Respectfully,

12834

Defendants' Exhibit 187.

12835

G. No. 651.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, November 13th, 1909.

To the Parties:

A. C. Meeting. (G. No. 648.)

12836

I shall be obliged if the Lines will please let me
know the names of the gentlemen by whom they will
be represented at the coming meeting.

Respectfully,

12837

12838

Defendants' Exhibit 188.*G. No. 652.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 15th, 1909.

To the Parties:

*Compensation S. S. "Graf Waldersee" October 8th
 (G. 624.) G. 618.*

12839 The Hamburg-Amerika Linie send me the following bill for their steamer "Graf Waldersee" October 8th which was appointed as fighting steamer against S. S. "Volturno."

"Graf Waldersee, October 8th from New York

340/1	33/2	17/0	passengers at	
			fighting rate	\$22
			regular rate	" 35
	356	1/2	compensation rate	" 8 \$2852
9/1	"		passengers at	
			fighting rate	\$24
			regular rate	" 35
	9		compensation rate	" 6 \$ 54

12840

 \$2906

S. E. & O."

The \$2906 are distributed over the percentages as per G. No. 593. The Lines will please make the following remittances to the Hamburg-Amerika Linie:

(Stamped): North Atlantic Passenger Conference
 Received 17-11-1909. Acknl'd 1909. Answered
 1909.

Petitioner's Exhibit 1344.

12841

G. No. 653.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, November 15th, 1909.

To the Parties:

A. C. Meeting (G. No. 651.)

12842

The White Star Line write:

"A. C. Meeting, 25th instant."

"Please put on the Agenda for this meeting the question of the third class rates for next year, our idea being that it may be possible to arrange to commence the year with an all-round increase of say, 10/."

The Red Star Line desire the question of an advance of the second class rates to be put on the Agenda.

Respectfully,

12843

12844

Petitioner's Exhibit 1345.*G. No. 654.*

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

Jena, November 16th, 1909.

To the Parties:

A. C. Meeting Agenda. (G. 653.)

12845

The Hamburg America Line desire as a further point to be put on the Agenda of the meeting, "the question of White Star Line's granting free passage between Newyork, Philadelphia and Boston to II class passengers."

Respectfully,

Petitioner's Exhibit 1463.*G. No. 655.*

ATLANTIC CONFERENCE.

Secretary's Office

Telegraph Address:

"Secretair," Jena.

12846

Jena, November 18th, 1909.

To the Parties:

Payments to the Russian East-Asiatic S. S. Co. (G. No. 647.)

In circular letter G. No. 647 I instructed the Parties to send their payments to the Russian East Asiatic S. S. Co. at Libau. As the Russian Line request not to send the amounts to them the Parties will please direct their payments to this office.

Respectfully,

Defendants' Exhibit 189.

12847

G. No. 656.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, November 18th, 1909.

To the Parties:

Change in rates.

12848

The Russian East Asiatic S. S. Co. inform me of
their following changes in prepaid rates:

From November 15th to December 31st

Steerage	\$48.	plus head tax
2nd Cabin B	"62.	
" A	"68.	

Respectfully,

12849

12850

Petitioner's Exhibit 1464.*G. No. 657.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 18th, 1909.

To the Parties:

12851

North West Transport-Line. (G. No. 650.)

Since the departure of S. S. "Vultorno" which left Rotterdam on October 30th with 614 steeragers, the Red Star Line reported 466 steeragers which passed Antwerp since that date up to the date of the departure of S. S. "Uranium" which left Rotterdam, as already reported on 14th instant with 35 cabin passengers and 780 steeragers of which 265 for Halifax, thus 324 passengers came by other routes but Antwerp.

12852

As the Red Star Line reported 91 steeragers for the N. W. T. L. which passed Antwerp on the 15th, hence already quite a number of steeragers are waiting for the next sailing.

Respectfully,

Petitioner's Exhibit 1465.

12853

G. No. 658.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, November 18th, 1909.

To the Parties:

Proposed II class Pool. (G. No. 646)

12854

The Anchor Line write:

"G. No. 646. Proposed 2nd class pool.

"We have perused the correspondence that has taken place between the N. G. Lloyd & White Star Companies. We consider that the difficulties that will arise in endeavoring to give each Company the percentage it considers it is entitled to, will be found to be very great.

"For ourselves we are not in any way desirous of a pool. The second class business we obtain is largely local and may be classed as special. And adding the proposed 20/— to present fares would divert as to the Third class grade of accommodation.

12855

"We will however be glad to discuss the whole proposition at the meeting you now call for 25th Nov."

Attached I beg to hand a statistic of second class passengers carried this year from January 1st till September 30th, which were thought well to be at hand if they should be desired.

Respectfully,

12856

*Petitioner's Exhibit 1465**Annex to G. No. 658.**Statistics of westbound II. class and intermediate passengers (souls) January 1st—September 30th 1909.*

	Lines	Souls	%
	Hapag, fast	617	0.42
	Hapag, ordin.	12877	8.85
	Nasm	9067	6.23
	Lloyd, fast	6445	4.43
	Lloyd, ordin.	10134	6.96
	Lloyd, Balto	2114	1.45
	Lloyd, Galveston	411	0.28
12857	Red Star L. Newyork	7857	5.40
	Red Star L., Boston-Phila.	992	0.68
	Transat, Newyork	10507	7.22
	Transat, Bordeaux	76	0.05
	Allan, Canada	13063	8.97
	Allan, Boston	1954	1.34
	Allan, State	—	—
	Allan, London-Havre	1203	0.83
	Anchor Line	9105	6.26
	Cunard Line, L'pool	12420	8.53
	Cunard Line, Boston	4760	3.27
	American L., S'hampton	5245	3.60
	American L., L'pool	2381	1.64
12858	Dominion Line	4897	3.37
	White Star L'pool	7633	5.24
	White Star, S'hampton	5981	4.11
	White Star, Boston	—	—
	Can. Pac. Ry, L'pool	9480	6.51
	Can. Pac. Ry., Antwerp	38	0.03
	Donaldson Line	1794	1.23
	Scand. American Line	2260	1.55
	Russ. Eastasiatic	380	0.26
	Cunard, Triest & Fiume	1284	0.88
	Austro Triest	596	0.41
		<hr/>	<hr/>
		145571	100.00
		<hr/>	<hr/>

Petitioner's Exhibit 1465

12859

Statistic of eastbound II class & intermediate passengers (souls) January 1st—September 30th 1900.

Lines	Souls	%	
Hapag. fast	534	0.71	
Hapag. ordin.	8241	10.90	
Nasm	3633	4.80	
Lloyd, fast	4349	5.75	
Lloyd, ordin.	4545	6.01	
Lloyd, Balto	1340	1.77	
Lloyd, Galveston	395	0.52	
Red Star L., New York	3266	4.32	
Red Star L., Boston-Phila.	780	1.03	12860
Transat, Newyork	4714	6.23	
Transat, Bordeaux	45	0.06	
Allan, Canada	4042	5.35	
Allan, Boston	664	0.88	
Allan, State	—	—	
Allan, London-Havre	729	0.97	
Anchor Line	4190	5.54	
Cunard Line, L'pool	9195	12.16	
Cunard Line, Boston	2452	3.24	
American Line, S'hampt	2621	3.47	
American Line, L'pool	1960	2.59	
Dominion Line	2361	3.12	
White Star L., L'pool	5212	6.89	12861
White Star L., S'hampton	3209	4.24	
White Star L., Boston	—	—	
Can. Pac. Ry., L'pool	4268	5.64	
Can. Pac. Ry., Antwerp	133	0.18	
Donaldson Line	536	0.71	
Scand. American L.	1492	1.97	
Russ. Eastasiatic	161	0.21	
Cunard L. Triest & Fiume	229	0.30	
Austro. Triest	332	0.44	
	<hr/> 75628	<hr/> 100.00	

12862

Petitioner's Exhibit 1346.*G. No. 659.*

ATLANTIC CONFERENCE.

Secretary's office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 19th, 1909.

To the Parties:

Immco allotment in Atlantic Conference (G. No. 35)

Mr. Ismay under date of 16th instant writes:

12863

"I. M. M. Co. Allotment in Atlantic Conference.

"Referring to my letter of April 2nd, 1908, giving you the division, for the time being, among the associated Companies of the I. M. M. Co's allotment, please note that from the 1st of January next the Westbound percentages will be as follows:

American Line	6.22
Dominion Line	4.01
White Star Line	9.52
	<hr/>
	19.75

12864

"Kindly advise the other Lines. I do not propose to make any change in the Eastbound allotment."

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Recd. 22/11, 1909 Acknl'd 1909 An-
 swered 1909.

Defendants' Exhibit 190.

12865

G. No. 660.

ATLANTIC CONFERENCE.

Secretary's office
Telegraph Address:
"Secretair," Jena.

Jena, November 19th, 1909.

To the Parties:

Eastbound Statistics 1908.

12866

In the eastbound statistics of first class passengers of the Anchor Line there is a misprint in No. 36 of form 26, the result of which is, that the final number of first class passengers of the Anchor Line is not 2145 as stated in No. 41 but 2045 and the Total of first class passengers eastbound by all Lines is 63834 instead of 63934. Will the parties please make the necessary correction in their copies of the statistics for 1908.

Respectfully,

12867

12868 **Defendants' Exhibit 191.**

G. No. 661.

ATLANTIC CONFERENCE.

Secretary's office
Telegraph Address:
"Secretair," Jena.

Jena, November 19th, 1909.

To the Parties:

Net rates (G. 649)

The Anchor Line write:

"G. 649. Nett rates.

12869

"We do not consider that any convincing argument has been brought forward against the quoting of nett rates say at Basle. We shall be glad to have the question considered at the meeting of 25th November."

Respectfully,

Petitioner's Exhibit 1466.

G. No. 662.

ATLANTIC CONFERENCE.

12870 Secretary's office
Telegraph Address:
"Secretair," Jena.

Jena, November, 1909.

To the Parties:

A. C. Meeting.

Enclosed I beg to hand the supplement to the Agenda of the Meeting on the 25th instant.

Respectfully,

Petitioner's Exhibit 1467.

12871

*Supplement to Agenda of A. C. Meeting, London,
November 25th, 1909.*

(20) Allround increase for 1910 of IIIrd class rates by 10 sh. (White Star Line) G. 653.

(21) Advance of II class rates (Red Star Line) G. 653.

(22) Competition N. W. T. L. compensation to Rusamerica Line. (G. 650).

(23) White Star Line's granting free passage between Newyork, Philadelphia and Boston to second class passengers. (Hapag) G. 654. 12872

(24) Proposed cabin rates S.S. "Lurentic" and "Carpathia" when in Newyork service.

(25) Circulating of A. C. Statistics and Transat.

Jena, November 20th, 1909.

12873

12874

Defendants' Exhibit 192.*G. No. 663.*

ATLANTIC CONFERENCE.

Secretary's office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 23rd, 1909

To the Parties:

North West Transport Line. (G. No. 657.)

Westbound:

12875

The 780 steeragers, which S.S. "Uranium" embarked at Rotterdam on November 13th, were composed as follows:

	to U. S. A.	to Canada	Total
from Russia	398	19	417
" Austria	151	17	168
" England	—	124	124
" Hungary	39	—	39
" Roumania	5	4	9
" Germany	7	—	7
" Switzerland	5	—	5
12876 " Italy	2	2	4
" Holland	4	—	4
" Belgium	1	—	1
" France	1	—	1
" Bulgaria	1	—	1
	<hr/> 614	<hr/> 166	<hr/> 780

As the Red Star Line reported for the above sailing 466 steeragers and 124 came from England thus 190 steeragers reached Rotterdam by routes of which I have received no communication.

Defendants' Exhibit 192

12877

Eastbound :

S.S. "Napolitan Prince" left New York November 6th with about 150 steeragers at a rate of \$25 less \$3 commission besides \$1 to \$2 extra commission. Her opposition steamer was S.S. "St. Paul" which left New York on the same date and had on board amongst other passengers according to a report I received from New York, 383 Continentals at a fighting rate of \$24 commission \$2, besides 8 Continentals at a rate of \$31 commission \$2.

S.S. "Vulturno" sailed from New York 23rd instant with 151 steeragers (estimated) against opposition steamer "Estonia" which got 257.

12878

Respectfully,

P. S. According to information which Nasm received S. S. "Vulturno" got 10 cabin passengers, 165 steeragers.

12879

12880

Defendants' Exhibit 193.

G. No. 664.

ATLANTIC CONFERENCE.

Secretary's office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 24th, 1909.

To the Parties:

Westbound Statistics 1908.

I received the following letter from Mr. Smyth:

12881

"First Class Numbers Westbound, your return No. 41. Further to my letter of the 12th instant, regarding a discrepancy in the Anchor Line Eastbound first class statistics in your return No. 41, (G. No. 660, Peters), as opportunity has offered I have been checking my statistics with yours and regret to find that the first class numbers of the S.S. "Cymric" 1st August, in addition to being included in list sent you on the 12th October, 1908, viz., list of British Lines' First Class carryings up to first week in August, 1908, was returned by White Star Line in week 8th-15th August, and thus her first class numbers have been included twice. Also the Allan S.S. 'Carthaginian' 8th August, through being returned by the Allan Line on the week 1st-7th August, was omitted from the list of first class numbers sent you on the 12th October. This means an additional 50 first class passengers for the Allan Line, while 115 should be deducted from White Star."

12882

The final number of first class passengers for the White Star Line in No. 41 of Form 25 & 27 therefore should read 14667 instead of 14782 and for the Allan Line, Canadian service in Form 27, 4045 in-

Defendants' Exhibit 194.

12883

stead of 3995. Will the Parties please make the necessary corrections in their copies of the statistics. The summary of first class passengers from March 1st to August 7th is contained in No. 32 of Form 25 & 27 from where the error originates.

Respectfully,

Defendants' Exhibit 194.

G. No. 665.

ATLANTIC CONFERENCE.

12884

Secretary's office
Telegraph Address:
"Secretair," Jena.

Jena, November 24th, 1909.

To the Parties:

North West Transport Line (G. No. 663)

The Red Star Line report 102 steeragers for the North West Transport Line which passed Antwerp from 16th to 19th instant on the way to Rotterdam. In *G. No. 657* were reported 91 steeragers on 15th instant; thus not less than 193 steeragers passed Antwerp for the N. W. T. L. in the short time of 5 days. Reports for 8 days, up to the sailing date of S.S. "Napolitan Prince," November 27th, are still outstanding.

12885

Respectfully,

P. S. I just received notice from the Holland America Line that S.S. "Napolitan Prince," which left New York on 6th instant, arrived at Rotterdam on the 22nd and landed 170 passengers.

The steamer suffered storm damage and therefore could not proceed on her voyage to Hamburg. It is said, that she will have to go into the dock and therefore will not be able to sail from Hamburg and Rotterdam according to the sailing list.

12886

Petitioner's Exhibit 1347.*G. No. 666.*

ATLANTIC CONFERENCE.

Secretary's office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 29th 1909.

To the Parties:

12887 Enclosed I beg to send copies of the minutes of the
 meeting at London on 25th instant; printed copies
 will follow:

Respectfully,

H. PETERS,

Mgr.

(Stamped): North Atlantic Passenger Conference.

Received 1/12 1909 Acknl'd

1909

Answered

1909

12888

Petitioner's Exhibit 1347

12889

Conference Meeting of November 25th, 1909, in London, Savoy Hotel.

Present for:

Allan Line:

Mr. Hugh. A. Allan
 " W. Mc. K. Rodan
 " W. H. Thompson

American Line:

Mr. P. E. Curry

Anchor Line:

12890

Mr. A. C. F. Henderson
 " John Aitchinson

Canadian Pacific:

Mr. Geo. Mc. L. Brown
 " H. S. Carmichael

Cunard Line:

Mr. A. A. Booth
 " T. Royden
 " A. D. Mearns
 " S. J. Lister
 " Whatmough

12891

Donaldson Line:

Mr. C. Donaldson
 " M. Clark

Hamburg-Amerika Linie:

General Director Ballin
 Director Ad. Storm
 Mr. Barnbrock
 " J. P. Meyer
 Dr. Murken
 Mr. Neumann
 " Heller

12892

Petitioner's Exhibit 1347

Holland-Amerika Linie:

Mr. O.v. Reuchlin
 " P. von der Graaf

I. M. M. Co.:

Mr. J. Bruce Ismay
 " Harold Sanderson
 " Cauty

Norddeutscher Lloyd:

12893

Director Heineken
 Director v. Helmolt
 Mr. v. Plettenberg
 " Seyde

Red Star Line:

Mr. G. Weingärtner
 " G. Strasser

White Star Line:

Mr. Sanderson
 " Cauty
 " Swain

On invitation: Cie. Gle. Transatlantique:

12894

Director Dal Piaz
 Mr. Sagot

On invitation: Austro-Americana:

Mr. O. Cosulich

Secretary of the British Lines:

Mr. E. S. Smyth.

Chairman: Mr. Booth.

125. Commission on infants. In amendment of
 Agreement V. Art. 13 b 1 & 2 and Agreement W.

Petitioner's Exhibit 1347

12895

Art. 11 b 2 the commission westbound and eastbound on infants rates as per byelaw 106 has been fixed at 5% maximum. The commission on third class infants is one shilling or its equivalent. (Agreed May 17th, 09.)

126. Passengers free from the Pool. Passengers landing or embarking at Gibraltar, the Azores or Madeira by steamers of the direct Mediterranean Lines need not be accounted for under Agreement A.A. Non-Italian and Non-Oriental passengers from or to Genoa, Naples or any other Mediterranean port must be accounted for. (G. 580, 9/10/09.)

12896

(1) The Allan Line's claim of refund of the compensation charged to them for steeragers by their steamers from and to New Foundland to be referred to Mr. Wilding as sole arbitrator. His decision to apply to the whole period of the present Agreement.

(2) The Secretary to lay before the next Meeting a synopsis of those minutes for the past which in his opinion ought to be considered as bye-laws forming part of the contract, and the meeting then to decide whether they agree. In future such byelaws are to be pointed out by asterics and confirmed at the subsequent meeting.

12897

(3) Withdrawn.

(4) A proposal of the continental Lines to be at Liberty to reduce their rates even though plus-parties is not unanimously agreed. Continental Lines may submit for consideration at the next meeting a proposal for regulating continental rates.

(5) Agreed in principle that under the Agreement the rates must be gross rates, but under present exceptional circumstances it was considered unwise to change the present practice.

Petitioner's Exhibit 1347

12898

(6) Withdrawn.

(7-8) Withdrawn.

12899

(9) The limit imposed upon Donaldson Line in clause 5, Appendix 3, to Agreement Z is withdrawn. They are to be allowed with a view to entering the eastbound Pool, to fix their Eastbound steerage rates for 1910 for British and Scandinavian business in accordance with the schedule in force among the British Lines. Their Continental Eastbound rates for 1910 to be fixed from time to time by the other British Lines after having been submitted to and approved by the Continental Lines.

(10) With regard to infants rates no change to be made in present practice.

(11) The question of the disqualification of agents to be considered by a small committee consisting of Messrs. Cauty, Aitchison, Lister, Rodan, Storm, van der Graaf, v. Plettenberg and Weingaertner.

12900

(12) Agreement with Scandinavian American Line. Agreed by all Lines that this question be reopened and that a special committee be appointed consisting of Messrs. Aitchison, Cauty and Lister, to confer with the Allan and C. P. R. Lines, and thereafter with the Scandinavian American Line on the matter. The special committee is fully empowered to negotiate an agreement on the best terms obtainable.

(13) The consideration of changes in Agreement H 2 referred to a small committee in which each Line concerned is to be represented.

(14) The question if the Holland-America Line are entitled to pay French Lemon & Co., Florence, a commission of 7 1/2% on first class business to be referred to Mr. Wilding as sole arbitrator.

Petitioner's Exhibit 1347

12901

(15) The Lines parties to Appendix 2, Agreement V, agree to advertise the first class full summer schedule eastbound for U. S. Lines as from May 1st to July 31st. The intermediate first class schedule to be advertised in accordance with minute 96 with the exception that the second period of the eastbound intermediate season will run from 1st to 15th August. It was understood that the Compagnie Gen: Transat: would follow the same procedure.

(16) Withdrawn.

(17) In case of chartering any ships for cruise business the charter to contain a clause obliging charterers or cruise agents to comply with Agreement V or any other Agreements which the Lines themselves would be bound by if doing the business direct.

12902

(19) Withdrawn.

(22) The Russian American Line are allowed for eastbound Libau passengers on fighting steamers compensation for the difference between the regular and reduced net rate, but limited to \$12.

(23) Withdrawn.

(24) The rate of steam ship "Laurentic" while in the Newyork trade is left to Mr. Wilding for arbitration. The Cunard Line accept minimum rate of £ 16 for Carpathia in the Liverpool New York service.

12903

(25) All Lines agree to Atlantic Conference Lines Statistics and circulars being sent to Cie. Gle. Transatlantique on condition that the statistics between the N. D. L. V. and Transat are sent in future to the B. L.

(18, 19, 20) All Lines agreed to make a general advance of 10/- in Second Cabin minimum rates, the

Petitioner's Exhibit 1347

12004

lowest rated steamers from Havre of the Allan and Compagnie Generale Transatlantique excepted. This Agreement on the part of the Canadian Pacific Railway (S.S. Lines) was conditional on a 5/- advance being made in Third Class Rates, except for their open Steerage, etc. This condition could not be accepted, the C. P. R. were asked to reconsider the matter in the hope that they might be willing to make the proposed advance in Second Cabin business, either with no change in Third Class Rates or with a uniform advance of 5/- on all Third Class Rates. Further consideration of the whole matter was referred to the British Conference who will communicate with the Continental Lines.

12905

Allan Line

Signed Hugh A. Allan

Anchor Line

Signed A. C. F. Henderson

Canadian Pacific Atlantic S.S. Line

Signed Geo. M. C. L. Brown

Cunard Line

Signed A. A. Booth

Donaldson Line

Signed Chas. Donaldson

Hamburg-Amerika Linie

Signed Ad. Storm

12906

Holland-Amerika Linie

Signed Reuchlin

I. M. M. Co.

Signed J. Bruce Ismay

Norddeutscher Lloyd

Signed Heineken

Red Star Line

Signed Geo. Weingärtner

Transat (only for cabine's agreement)

Signed Dal Piaz

Austro (as far as interested)

Signed Cosulich.

Petitioner's Exhibit 1347

12907

The subcommittee appointed by the General Meeting to-day recommends the following:

Considering the unanimous wish of the British Lines to have removed the disqualification of Onishcavich the Continental Lines agreed to it on the condition that he does not send his passengers through the Universal Reisebureau, Vienna.

Continental Lines will reconsider if it would be practicable and in the interest of business to reinstate disqualified agents who in the mean time may have turned over business to competing outside lines.

signed: PLETTENBERG

12908

" G. WEINGARTNER

" P. VAN DER GRAFF

" S. J. LISTER

" C. SWAIN

" JOHN AITCHISON

" W. McK. RODAN

" AD. STORM

Memo of Sub-Committee

H. 2 Agreement. This Agreement was discussed. Noted that it is the intention that passengers booking 1st or 2nd class from America outward by one Line & return by another, before making the outward voyage are to have the benefit of this Agreement as regards their return ticket. The New York representatives to discuss this question with the view to arranging the simplest method of covering the point.

12909

signed: AD. STORM.

12910

Petitioner's Exhibit 1468.*G. No. 667.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, November 30th, 1909.

To the Parties:

The list of representatives of the last meeting not
 being made out correctly I herewith beg to enclose
 a new list of representatives, which the parties will
 please substitute to the one sent yesterday.

12911

Respectfully,

*Conference Meeting of November 25th, 1909,
 in London, Savoy Hotel.*

Present for:

Allan Line:

Mr. Hugh A. Allan
 " W. Mc. K. Rodan
 " F. S. Thompson

American Line:

Mr. P. E. Curry

12912

Anchor Line:

Mr. A. C. F. Henderson
 " John Aitchison

Canadian Pacific:

Mr. Geo. Mc. L. Brown
 " H. S. Carmichael

Cunard Line:

Mr. A. A. Booth
 " T. Royden
 " A. D. Mearns
 " S. J. Lister
 " P. W. Whatmough

Petitioner's Exhibit 1468

12913

Donaldson Line:

Mr. Chas. Donaldson

" M. Clark

Hamburg-Amerika Linie:

General-Director Ballin

Director Ad. Storm

Mr. C. Barnbrock

" J. P. Meyer

Dr. Murken

" Neumann

" Heller

Holland-Amerika Linie:

Director O. v. Reuchlin

Mr. P. van der Graaf

12914

I. M. M. Co.:

Mr. J. Bruce Ismay

" Harold A. Sanderson

" A. B. Couty

Norddeutscher Lloyd:

Director Heineken

Director v. Helmolt

Mr. v. Plettenberg

" G. Seyde

Red Star Line:

Mr. G. Weingärtner

" G. Strasser

12915

White Star Line:

Mr. Harold A. Sanderson

" A. B. Cauty

" T. C. Swain

On invitation: Cie Gle Transatlantique:

Director Dal Piaz

Mr. R. Sagot

On invitation: Austro-Americana:

Mr. O. Cosulich

Secretary of the British Lines:

Mr. E. S. Smyth

12916

Petitioner's Exhibit 1470.

G. No. 668.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address :
"Secretair," Jena.

Jena, December 3rd, 1909.

To the Parties :

Blue Star Line.

12917

The Hamburg American Line inform me of the following cable they received from New York :

"Blue Star Line Compagnie Franco Nord Americaine advertise regular sailings New York Bordeaux calling Azores steamers 'Notre Dame' 'Le Lourdes' and 'Jeanne d'Arc' first cabin Bordeaux Lisbon Azores forty-five dollars Italy 'fifty' steerage twenty-seven thirty thirty-two special issue five hundred round trip tickets Bordeaux fifty dollars Paris sixty New-york Agents CorsiZumsteg & Co. we consider enterprise swindle."

12918

If any of the parties is in the position to communicate anything more on the enterprise such information will be appreciated.

Respectfully,

Defendants' Exhibit 195.

12919

G. No. 669.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 4th, 1909.

To the Parties:

North West Transport Line. (G. No. 665)

12920

The Holland-America Line report that the North West Transport Line have appointed S. S. "Sicilian Prince" as an extra steamer for December 4th, for which they expect about 450 steeragers.

The Red Star Line report 702 steeragers which passed Antwerp on the way to Rotterdam from November 15th to 27th. The Parties are informed that S. S. "Napolitan Prince" left Rotterdam on 27th November with 789 steeragers of which 267 for Halifax.

Respectfully,

12921

12922

Petitioner's Exhibit 1471.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 4th, 1909.

Cunard Line
White Star Line
Hamburg Amerika Linie
Norddeutscher Lloyd

12923

*Extension of byelaw 106 to Med. Business.
(Sept. 24th, 1909.)*

As no objection has been raised among the parties to Agreement X to have byelaw 106 as far as the first class business is concerned, extended to the Mediterranean business I got this resolution printed and enclosed beg to hand copies of it.

Respectfully,

12924

Petitioner's Exhibit 1472.

12925

G. No. 670.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 4th, 1909.

To the Parties:

Minutes Meeting November 25th. (G. No. 657)

12926

By the same mail I beg to send printed copies of the minutes of the last meeting. Referring to the type-written copies sent with G. 666, I regret to say a clerical error has occurred on page 4; I therefore beg to request to destroy the sheet and to substitute it by the enclosed one.

Respectfully,

12927

Petitioner's Exhibit 1472

12928

18, 20, 21

All Lines agreed to make a general advance of 10/- in Second Cabin minimum rates, the lowest rated steamers from Havre of the Allan and Compagnie Generale Transatlantique excepted. This Agreement on the part of the Canadian Pacific Railway (S. S. Lines) was conditional on a 5/- advance being made in Third Class Rates, except for their open Steerage. As this condition could not be accepted the C. P. R. were asked to reconsider the matter in the hope that they might be willing to make the proposed advance in Second Cabin business, either with no change in Third Class Rates or with a uniform advance of 5/- on all Third Class Rates. Further consideration of the whole matter was referred to the British Conference who will communicate with the Continental Lines.

12929

Allan Line

Anchor Line

Canadian Pacific Atlantic S. S. Lines

Cunard Line

Donaldson Line

Hamburg-Amerika Linie

Holland-Amerika Linie

I. M. M. Co.

12930 Norddeutscher Lloyd

Red Star Line

Transat (only for cabine's agreement)

Austro (as far as interested)

Signed Hugh A. Allan

" A. C. F. Henderson

" Geo. Mc. L. Brown

" A. A. Booth

" Chas. Donaldson

" Ad. Storm

" Reuchlin

" J. Bruce Ismay

" Heineken

" Geo. Weingärtner

" Dal Piaz

" Cosulich

Petitioner's Exhibit 1474.

12931

G. No. 671.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 6th, 1909.

To the Parties:

The Cunard Line mention that in the Minutes of the last meeting no reference is made to the sympathetic expressions of Mr. Heineken in regard to the loss sustained by the Conference through the deaths of Mr. William Watson and Mr. Tattet.

12932

I am very sorry that at the meeting it has been omitted, but after the Minutes had been signed I could not make alterations or additions. All what I can do under the circumstances, is to take it on record here.

Respectfully,

12933

G. No. 672.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 6th, 1909.

To the Parties:

Blue Star Line. (G. No. 668)

129:15

With regard to said enterprise the Holland America Line send me two circulars, one in English and the other in French of practically the same tenor of which I beg to promulgate the one in English language which reads as hereunder.

Respectfully,

BLUE STAR LINE
COMPAGNIE FRANCO-NORD AMERICAINE
de Navigazion à Vapeur

New York: 67 Pearl Street
Bordeaux: 1, Cours du Chapeau-Rouge

12936 The Compagnie Franco-Nord Americaine will from February 5th, 1910, establish a direct service between New York and Bordeaux.

With the scope of introducing the Company to the travelling Public 500 tickets at \$50 each will be issued through the Company's general agents, Corsi, Zumsteg & Co., 67 Pearl Street, New York City, entitling the passenger to one 1st class passage to Bordeaux and return. A fee of \$10 will be charged to passengers desiring Railroad tickets in 2nd class from Bordeaux to Paris and return.

Petitioner's Exhibit 1475

12937

A special agent of the Company will deliver to the passenger the Railroad tickets to Paris and return, immediately upon the arrival of the steamer. Other tickets at reduced rates can be procured to any interior point in France upon application at the Company's offices.

The steamers are fast and of modern construction. Special attention will be given to insure perfect comfort to passengers. The Cuisine in charge of French chefs, will give entire satisfaction. Selected wines are served at every meal.

The sailings will take place from Atlantic Docks, Brooklyn (10 minutes from South Ferry) as follows:

12938

Saturday, February 5th, 1910,	Steamer "Notre Dame De Lourdes"
" March 19th, 1910,	" " " " "
" April 23rd, 1910,	" " " " "
" May 14th, 1910,	" Jeanne D'Arc
" June 4th, 1910,	" Notre Dame De Lourdes
" June 25th, 1910,	" Jeanne D'Arc
" July 16th, 1910,	" Notre Dame De Lourdes
" August 6th, 1910,	" Jeanne D'Arc
" Aug. 27th, 1910,	" Notre Dame De Lourdes

From Bordeaux the initial steamer will sail February 16th, 1910, and every Saturday following the arrival of the steamer.

12939

The travelling Public desirous of taking advantage of these reduced rates, are requested to secure passage at once, as 500 tickets only are issued and the regular passage will have to be paid upon termination of the sale of the reduced rate tickets.

Any passenger that is for some reason unable to sail on the days given above can make application to the Company for the immediate refund of the amount paid.

12940

Petitioner's Exhibit 4176

The tickets are valid for two years from February 1st, 1910, no time being fixed for the passage to Europe or return.

For acquisition of accommodations and further information, please apply to

Corsi, Zumsteg & Company,
General Agents, 67 Pearl Street,
New York City.

It is stated that the Company has been established with a capital of 1 Million Francs.

12941

Petitioner's Exhibit 1476.

G. No. 673.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 7th, 1909.

12942 To the Parties:

Final Statistics for 1908.

In the Eastbound Statistics Form 26 No. 41 the correction of Canadian Pacific's passengers under Column "Byelaws 3, 11 a & b" is printed as + 44 but this should read + 74. The total number of those passengers for the C. P. R. therefore should read 658. Will the Parties please make this correction in their copies.

Respectfully,

Defendants' Exhibit 196.

12943

G. No. 674.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 7th, 1909.

To the Parties:

Payments for November. (G. No. 643)

12944

According to the Summary of Monthly Adjustment-Statements and Account Current Form 30, No. 11 I beg to request the Parties to make the following payments for November:

Allan Line	to Continental Lines	£ 5388.—.—	
" "	" Donaldson Line	" 84.—.—	
American Line	" Cunard Line	" 11036.—.—	
" "	" Dominion Line	" 346.—.—	
" "	" Donaldson Line	" 20.—.—	
White Star Line	" Anchor Line	" 2943.—.—	
" " "	" Dominion Line	" 510.—.—	
Canadian Pacific Ry. Co.	" Donaldson Line	" 116.—.—	12945

Respectfully,

H. PETERS.

(Stamped): North Atlantic, Passenger Conference.
 Received 9/12 1909. Ackn'd 1909. Answered 1909.

12946

Petitioner's Exhibit 1477.*G. No. 675.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 7th, 1909.

To the Parties:

12947

North West Transport Line. (G. No. 669)

I informed the parties that according to news which I received the "Uranium" left Newyork on the 4th instant with 335 steeragers besides she had 20 cabin passengers and 39 deported passengers. The net rate for the "Uranium" was \$19; as opposition steamer was appointed the "Lituania" of the Russian American Line with a rate of \$24. less \$2 commission; she got only 280 steeragers.

Respectfully,

12948

Defendants' Exhibit 197.

12949

G. No. 676.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 8th, 1909.

To the Parties:

*Payments to and from the Russian East Asiatic S. S.
 Co.*

In accordance with Monthly Adjustment-Statements & Account Current Form 35, No. 11 I beg to request the Parties to make the following payments:

12950

Russian East Asiatic S.S. Co.	to	N. D. L. V. Lines	£1021.—.—
Allan Line	"	Russian East Asiatic S.S. Co.	9.—.—
Russian East Asiatic S.S. Co.	"	Anchor Line	49.—.—
" " " "	"	American Line	92.—.—
" " " "	"	Dominion Line	81.—.—
" " " "	"	White Star Line	100.—.—
" " " "	"	Cunard Line	202.—.—
Canadian Pacific Ry. Co.	"	Russian East Asiatic S.S. Co.	20.—.—

To avoid to and fro payments the Parties will
 please make the payments as follows:

12951

Russian East Asiatic S.S. Co.	to	N. D. L. V. Lines	£1021.—.—
Allan Line	"	Anchor Line	9.—.—
Russian East Asiatic S.S. Co.	"	" "	20.—.—
" " " "	"	American Line	92.—.—
" " " "	"	Dominion Line	81.—.—
" " " "	"	White Star Line	100.—.—
" " " "	"	Cunard Line	202.—.—
Canadian Pacific Ry. Co.	"	Anchor Line	20.—.—

Respectfully,

(Stamped): North Atlantic, Passenger Conference.

Received 10/12 1909. Ackl'd 1909. Answered
 1909.

Defendants' Exhibit 198.

12952

G. No. 677.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 11th, 1909.

To the Parties:

North West Transport Line. (G. No. 675)

12953

Referring to G. No. 637 A the Cie. Gle. Transatlantique send me copie of a letter from the North West Transport Line to one of their Austrian agents, which contains the following passage (translated):

"My Line offers many advantages not to be underestimated. Passengers are never left behind. As the steamers only take third class passengers and no arrangements exist for Cabin the whole vessel's space is for the benefit of the 3rd cl. passengers. Therefore the steamers can take a large number of passengers. This week an extra steamer leaves; then other departures are on the 11th & 24th. In spring two new fast steamers will be put into commission, which will cross from Rotterdam to Halifax in 7 days. On a fare of Kr. 170 Basel-New York including headtax I can allow you Kr. 30 commission, on the tickets 5% (? American R. R. tickets).

12954

"I would be pleased to hear from you whether we can do business together. You may be assured that I would serve you and your passengers strictly prompt and reliable

Defendants' Exhibit 198

12955

and the connections would be agreeable and remunerative."

As in this letter mention is made of two fast steamers I add a report of the Liverpool correspondent of the Shipping Gazette:

"Confirmation is cabled from Ottawa of the report published some time ago in the Shipping Gazette that the Canadian Northern Railway Company will next spring inaugurate their own line of steamers from this country to Quebec. It is stated in the Ottawa message that Liverpool will be the port of departure on this side, but I am informed that this question is not yet officially settled, although Liverpool seems the most probable choice. In addition to the steamers Cairo and Heliopolis, the Canadian Northern Railway Company have acquired the Volturno, at present engaged in the Hamburg and New York trade, so that they will have three large Atlantic Liners to commence their service with."

12956

Respectfully,

12957

12958

Defendants' Exhibit 199.*G. No. 678.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 13th, 1909.

To the Parties:

12959

Arbitration Allan Line New Foundland passengers.
(G. 633)

The Allan Line have sent me their statement of the case for Mr. Wilding; as according to the information I received from Mr. Wilding with regard to the proceedings a statement also of the other parties is required, I beg to request the parties for proposals which party is to be entrusted with drawing up this statement.

Respectfully,

12960

Defendants' Exhibit 199a.

12961

G. No. 679.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 13th, 1909.

To the Parties:

North West Transport Line. (G. No. 677)

Of the 793 steeragers which S.S. "Napolitan Prince" embarked at Rotterdam for Halifax & New York were

12962

	to New York	to Canada	Total
from Russia	345	30	375
" Austria	212	8	220
" England	3	124	127
" Hungary	45	—	45
" Bulgaria	7	6	13
" Roumania	6	—	6
" Germany	3	—	3
" France	2	—	2
" Turkey	1	—	1
" Italy	—	—	1
	—	—	—
	624	168	793

12963

and of S.S. "Sicilian Prince" which embarked on December 6th at Rotterdam 407 steeragers were

	to New York	to Canada	Total
from Russia	282	4	286
" Austria	47	3	50
" Hungary	17	—	17
" England	7	43	50
" Italy	1	3	4
	—	—	—
	354	53	407
	—	—	—

Respectfully,

12964

Petitioner's Exhibit 1478.*G. No. 680.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 17th, 1909.

To the Parties:

Blue Star Line. (G. 672)

12965

With reference to the above subject I beg to promulgate the following information, the White Star Line received from their Southampton Office;

"Referring to Mr. Peters' circular letters G. No. 668 of the 3rd and G. No. 672 of the 6th December respecting a statement that the Compagnie Franco-Nord Americaine was arranging to establish a direct service between New York and Bordeaux, under the title of the Blue Star Line, we have made enquiries from our Bordeaux representatives and find that nothing whatever is known of the intended Company in that city, but that they will advise us if they hear anything of such a service being arranged for."

12966

Respectfully,

Petitioner's Exhibit 1479.

12967

G. No. 681.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 17th, 1909.

To the Parties:

Norway-Mexico Gulf Line Passenger Service.

12968

I have before me a letter from the agents of the above Line, Messrs. Fowler & Mc Vilie, Galveston in which they cater for passengers from Galveston to Christiania by the steamers "Texas" & "Noruega," the former to sail from Galveston about December 20th and the latter about a month later with short stops at New Orleans & Norfolk en route. The duration of the voyage from Galveston to Christiania is said to be usually 30 days. Passengers are booked at

\$75 First Class
 "60 Second "
 "45 Third "

12969

Respectfully,

12970

Petitioner's Exhibit 1480.

G. No. 682.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, December 20th, 1909.

To the Parties:

12971

North West Transport Line. (G. 675)

The "Uranium" which left New York on the 4th instant arrived at Hoek van Holland on the 17th inst where she disembarked about 350 passengers.

Respectfully,

12972

Defendants' Exhibit 200.

12973

G. No. 683.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 20th, 1909.

To the Parties:

Arbitration Allan Line Newfoundland Passenger.
(G. 678)

12974

On the part of British Lines it is suggested that the Anchor Line might perhaps consent to make up a statement for submission to the Arbitrator on behalf of the British Lines and that at the same time perhaps one of the Continental Lines would do so as well for the N. D. L. V. Lines.

It is thought that the matter may be considered from different points of view on the part of British Lines and of Continental Lines. I await to hear from the Anchor Line and the Continental Lines whether they will draw up the statements. The lines which make these statements would, I suppose, also make the reply to the statement of the Allan Line.

12975

In order that the Lines may know in which way the Arbitration proceedings are going on I repeat here, what Mr. Wilding has written me in this respect.

1. That the parties in difference each render a statement of their case to the Arbitrator.
2. That copies of these statements be sent to all the parties in difference.
3. That the Arbitrator fixes a time within which any comments on these statements may be sent to him by any of the parties in difference.

12976

Petitioner's Exhibit 1481

4. That copies of these comments be not circulated, if they contain statements of fact which differ from each other the Arbitrator will call for further explanations but if they are merely comments or arguments the Arbitrator will consider them as addressed to him and not to the parties in difference.

Respectfully,

Petitioner's Exhibit 1481.

12977

G. No. 684.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 20th, 1909.

To the Parties:

Blue Star Line. (G. No. 672)

12978

With reference to circular letter G. No. 668 the Cie. Gle. Transatlantique inform me of their opinion that according to informations they received from New York and Bordeaux, it is not to be feared that the new enterprise must be regarded as a very serious one.

Respectfully,

Defendants' Exhibit 200a.

12979

G. No. 685.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 21st, 1909.

To the Parties:

Blue Star Line. (G. 684.)

With reference to the above enterprise I beg to
 promulgate still the following handbill:

12980

BLUE STAR LINE

COMPAGNIE FRANCO—NORD AMÉRICAIN
 de Navigation à Vapeur

FAST	Cut of	NEW YORK
EXPRESS		LIBSON
SERVICE	steamer	(Azores)
		BORDEAUX

General Agency for United States and Canada
 67 Pearl Street, New York

12981

Special Issue of 500 Round Trip Tickets

To Bordeaux	To Paris
\$50	\$60
and Return	And Return

FIRST CLASS CABIN
 GOOD FOR TWO YEARS

N. B. This special issue is made for the purpose of
 advertising the Company, and after the 500 tickets
 are sold the regular rates as given below go into
 effect.

12982

Defendants' Exhibit 200a

SAILINGS FROM NEW YORK.

Saturday, February 5th, 1910	Steamer Notre Dame De Lourdes
Saturday, March 19th, 1910	Steamer Notre Dame De Lourdes
Saturday, April 23rd, 1910	Steamer Notre Dame De Lourdes
Saturday, May 14th, 1910	Steamer Jeanne D'Arc
Saturday, June 4th, 1910	Steamer Notre Dame De Lourdes
Saturday, June 25th, 1910	Steamer Jeanne D'Arc
Saturday, July 16th, 1910	Steamer Notre Dame De Lourdes
Saturday, August 6th, 1910	Steamer Jeanne D'Arc
Saturday, August 27th, 1910	Steamer Notre Dame De Lourdes

12983

Regular Rates from New York

	Bordeaux	Lisbon, Azores	Italy
First Class	\$45	\$45	\$50
Third Class	\$27	\$30	\$32

Round Trip Tickets 10 per cent off the regular rate. Infants under 1 year free.

Children from 1 to 12 years, half ticket

For tickets and full information apply to

Corsi, Zumsteg & Co., General Agents, 67 Pearl St.,
New York,

12984

or any authorized Sub Agent.

Petitioner's Exhibit 1482.

12985

G. No. 686.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address
"Secretair," Jena.

Jena, December 21st, 1909.

To the Parties:

North West Transport Line. (G. 682.)

12986

The "Napolitan Prince" left New York on the 18th instant with 195 (180) steeragers at a net rate of about \$19. As opposition steamer the "Neckar" was appointed which left with 568 steeragers at \$24 less \$2.

Respectfully,

12987

12988

Defendants' Exhibit 201.*G. No. 687.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address
 "Secretair," Jena.

Jena, December 22nd, 1909.

To the Parties:

12989

*Final Statistics for 1908.**Payments from the Russian East-Asiatic S. S. Co.*

According to Form 35, No. 5 for 1908 I beg to request the Russian East Asiatic S. S. Co to make the following payments:

to Continental Lines	£ 8.
" American Line	" 2.
" White Star Line	" 3.
" Cunard Line	" 2.
" Canadian Pacific Ry. Co.	" 1.

12990

Respectfully,

(Stamped): North Atlantic Passenger Conference.
 Received 24/12 1909 Acknl'd 1909 Answered 1909.

Petitioner's Exhibit 1483.

12991

G. No. 688.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address
"Secretair," Jena.

Jena, December 22nd, 1909.

To the Parties:

Blue Star Line. (G. 685.)

12992

The Canadian Pacific R. R. Co. write:

"With reference to your Circular G. 672 of 6th inst., giving particulars of two circulars purporting to advertise a new service between New York and Bordeaux under the title 'The Blue Star Line.' On receipt the matter was taken up with our representatives in Bordeaux, with a view to ascertaining what truth there was in the rumor, and they advise, in reply that they fail to find any trace of the intention for the steamers named to call at Bordeaux, and their opinion is that most certainly if they did call, one or two voyages would end their existence.

12993

"They promise to advise if anything further in this connection comes under their notice."

Respectfully,

12994

Petitioner's Exhibit 1484.*G. No. 689.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 22nd, 1909.

To the Parties:

North West Transport Line. (G. No. 686.)

12995

Enclosed is copy of a circular of the North West Transport Line. Lloyd inform me that opposition steamer against "Sicilian Prince" 24th December is their S. S. "Zieten."

Following copy of a letter may be of interest:

 THE NORTH WEST TRANSPORT LINE

17-19 Broadway,

12996

Vesely & Co.,
 General Passenger Agents.

New York, December 10, 1909.

Mr. Lawson Sandford, Secretary,
 Continental S. S. Conference,
 17 State Street,
 New York.

Dear Sir:

Referring to the call of our Mr. Fourman on you yesterday, we beg to confirm that we consider it as

Petitioner's Exhibit 1484

12997

our right for the Conference Lines to issue a circular, cancelling Rule 8 of the agents' agreement. Also that the lines inform the Railway Companies that commission may be paid to us.

We are perfectly candid in saying to you now that we had already written to the President of the United States, complaining about the boycott by the Steamship Lines against us and have his reply that the matter will be taken up.

We now beg to inform you that unless our request is complied with we shall in due time submit all the evidence in our possession when called upon to do so by the authorities in Washington.

12998

We also propose to take steps to sue the Railway Companies under the Law for three times the commissions that have been so far withheld from us through the machinations of the Steamship Conferences.

We shall await until the end of next week for your definite reply to above and remain

Yours very truly,

(signed) VESELY & CO.

Respectfully,

12999

13000

*Petitioner's Exhibit 1484**Annex to G. 689. 22/12/09.*

THE NORTH WEST TRANSPORT LINE

Regular Passenger Service

to and from

ROTTERDAM

New York, November 27, 1909.

13001

We beg to call your attention to the sailings of the
steamers:"Napolitan Prince" Saturday, December 18th At
Noon.

"Sicilian Prince" Friday, December 24th At Noon.

"Volturno" Friday December 31st At Noon.

From New York to Rotterdam

STEERAGE RATES

To Rotterdam \$25.

To Hamburg, \$28.00:

To Antwerp, \$26.00

To Bremen, \$27.00:

To Libau, \$33.00

13002

Commission \$3.00

Children, between 1 and 12 years, half fare,
infants \$2.00

First Cabin to Rotterdam, \$45.00

Commission \$4.00

You may book passengers through at the following
rates:

Petitioner's Exhibit 1484

13003

Agram	\$ 8.40	Frankfurt a. M.	\$ 2.10
Alexandrowo	5.30	Galszecs	7.95
Basel	4.00	Graz	7.45
Belgrad	10.40	Hannover	1.80
Berlin	3.00	Heidelberg	2.60
Bozen	7.65	Hermannstadt	9.65
Brody	8.10	Illowo	5.65
Budapest	7.55	Innsbruck	6.55
Bukarest	10.35	Inowrazlaw	4.85
Cöln	1.10	Insternburg	6.35
Czernowitz	8.75	Jaslo	6.90
Debreczin	9.00	Jassy	10.15
Dresden	3.65	Karlstadt	8.40
Düsseldorf	.95	Kaschau	7.55
Eberies	7.55	Klausenburg	9.20
Eydtkuhnen	6.65	Königsberg in Pr.	5.95
Fiume	8.40	Kowno	7.25

13004

Krakau	\$ 5.95	Saratow	\$12.30
Kronstadt	9.20	Schaffhausen	4.80
Laibach	8.50	Smolensk	9.50
Leipzig	3.05	Strassb. i. E.	3.40
Lemberg	7.65	Stuhlweissbg.	8.05
Miskolcz	7.55	Stuttgart	3.50
München	5.30	Tarnow	6.35
Munkacs	8.55	Tarnopol	8.25
Oderberg	5.60	Temesvar	9.15
Odessa	11.30	Thorn	4.95
Ostrowo	4.90	Tilsit	6.60
Oswieczim	5.70	Triest	9.35
Paris	4.30	Trient	8.00
Podwoloczyska	8.45	Ungvar	8.35
Posen	4.30	Vienna	6.00
Prag	4.60	Warschau	6.45
Rogasen	4.55	Wilna	8.00

13005

13006

Petitioner's Exhibit 1484

NORTH WEST TRANSPORT LINE,
Vesely & Co., Gen'l Passenger Agents,
17-19 Broadway, New York.

J. V. Zinner & Co.,
Gen'l Western Pass. Agents,
71 E. Washington St.,
Chicago, Ill.

13007

These Sailing Dates will be strictly adhered to, and in the event of accident to any of the steamers, other steamers now being fitted will be substituted. It is also contemplated to increase the sailings to a weekly Service in the immediate future, when new steamers under construction, and now being fitted, are completed.

13008

Petitioner's Exhibit 1485.

13009

G. No. 690.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 27th, 1909.

To the Parties:

North West Transport Line. (G. 689.)

18010

Of the 632 steeragers with which S. S. "Volturno"
 sailed on December 15th from Rotterdam were:

	to U. S. A. to Canada total		
from Russia	297	34	331
" Austria	159	—	159
" Hungary	36	—	36
" England	—	63	63
" Turkey	3	24	27
" Bulgaria	8	—	8
" Roumania	5	—	5
" Servia	3	—	3
	<hr/> 511	<hr/> 121	<hr/> 632

13011

Respectfully,

13012

Petitioner's Exhibit 1486.*G. No. 691.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, December 28th, 1909.

To the Parties:

North West Transport Line. (G. No. 689.)

13013

I received information that the "Sicilian Prince" left New York on 24th instant with 73 steerage passengers which were booked at a rate of about \$19 net. The opposition steamer "Zieten" got 256 steeragers at \$24—less \$2.

Respectfully,

Defendants' Exhibit 202.*G. No. 692.*

ATLANTIC CONFERENCE.

Secretary's Office
 13014 Telegraph Address:
 "Secretair," Jena.

January 3rd, 1910.

To the Parties:

In Form 35, No. 5 (Final Account Current with the Russian East Asiatic S. S. Co. for 1908) I beg to request the Parties to alter the words under the first double line "The Atlantic Conference have" into "The Russian East Asiatic S. S. Co. have." The Account itself stands as it is.

Respectfully,

Petitioner's Exhibit 1487.

13015

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 3rd, 1910.

To the Parties:

Secretary's Salary.

The salary for the 2nd half year 1909

is £ 1000.

I have further to debit the Lines with
 the amount of

" 12. 16. 5.

13016

for which I had given them credit as the
 share of the Scandinavian American
 Line as per circular letter of July 5th,
 1909, but which amount I refunded that
 Line, when I was informed that the
 Agreement had not been completed.

£ 1012. 16. 5.

The Lines having to contribute equal shares I shall
 be obliged for remittance:

Allan Line	£ 84. 8.
American Line	" 84. 8.
Anchor Line	" 84. 8.
Canadian Pacific S. S. Lines	" 84. 8.
Cunard Line	" 84. 8.
Dominion Line	" 84. 8.
Hamburg-Amerika Linie	" 84. 8.
Holland-Amerika Linie	" 84. 8.
Norddeutscher Lloyd	" 84. 8.
Red Star Line	" 84. 8.
Russian American Line	" 84. 8.
White Star Line	" 84. 8.

13017

£1012. 16.

Respectfully,

H. PETERS.

13018

Petitioner's Exhibit 1488.*G. No. 693.*

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 3rd, 1910.

To the Parties:

13019 *Arbitration Allan Line New Foundland passengers.*
(*G. 683.*)

13020 Enclosed I beg to hand statements of the case of the Allan Line and the Anchor Line; the latter inform me that their statement will go likewise on behalf of the other B. L. On the part of the Continental Lines the opinion is expressed that as their position does not materially differ from the British Lines' position a separate statement might not be necessary for them. Mr. Wilding informs me that he will allow 14 days for any counterstatements that may be desired, that is to say he proposes to mail his award fourteen days from today. In conformity herewith I beg to request the parties to let me have their counterstatements in due time. I take it that the Anchor Line will prepare the reply for the B. L.

Respectfully,

Petitioner's Exhibit 1489.

13021

24 Bothwell Street,
Glasgow, 9th December, 1909.

Henry Wilding, Esq.,
The Moorings, Bassett,
Southampton.

Dear Sir:

At a Meeting of the North Atlantic Passenger Conference Lines held in London on the 25th of November, 1909, the following Minute was passed:

"The Allan Line's claim of refund of the compensation charged them for Steeragers by their steamers from and to Newfoundland to be referred to Mr. Wilding as sole arbitrator. His decision to apply to the whole period of the present Agreement."

13022

We accordingly beg to submit the following:

The Allan Line are parties to Agreement A. A., under which they pool *all* Eastbound Steerage Passengers they carry by their *Canadian* and *United States* Services. Under the same Agreement they pool all Westbound Steerage Passengers conveyed by their *United States* Services only. For their *Canadian* Services the Allan Line are not parties to this Agreement Westbound, but under Agreement Z they pool the Westbound *Continental* Steerage Passengers carried by such *Canadian* Services.

13023

Article 1, Agreement A. A. defines the passengers to be pooled as consisting of

"the entire Steerage traffic forwarded by the parties to this Contract from all European ports to and via the United States of America and *Canada* and *vice versa*, etc."

The Island of Newfoundland is not covered by this Clause, being as you know, a British Crown Colony

Petitioner's Exhibit 1489

13024

entirely independent of Canada, and, of course, forming no part of the United States of America. Consequently passengers to and from Newfoundland do not come within the scope of this Article of the Agreement, and are therefore not entitled to be included in the pool.

13025

This position was recognized at the Meeting of the North Atlantic Passenger Conference Lines held at Paris on the 25th of March, 1909, when it was distinctly agreed that Article 1, Agreement A. A. did *not* cover Newfoundland passengers; and consequently that fishermen to St. Pierre, Newfoundland, were not to be pooled. The Minute of the Meeting on that subject reads as follows:

"Passengers to St. Pierre, Newfoundland. It is confirmed that passengers by direct steamers to St. Pierre, Newfoundland, do not come under the Agreements Z and A. A."

The reason why the port of St. Pierre happened to be inserted, was simply that the question had arisen in connection with the conveyance of fishermen to be landed at St. Pierre: to any other port of Newfoundland the decision must have been the same.

13026

The Allan Line is the only Line which has a Passenger Service to and from the Island of Newfoundland, and it was never intended to include in the Pool any traffic but that which was common to all the Lines, and was consequently in competition.

We therefore claim that the Allan Line was not entitled to pool the One Hundred and Fifty Three (153) Steerage passengers carried by it from Newfoundland during 1908, and the two (2) Continental Westbound Steerage passengers carried from Liverpool to Newfoundland in 1908, (and inadvertently included in our Pool returns), or any passengers we may carry to or from Newfoundland during the currency of the present Agreements.

Petitioner's Exhibit 1490

13027

We assume that you have copies of the Agreements A. A. and Z at your command; if not, we will be pleased to forward same on hearing from you.

Yours truly,

ALLAN BROS. & CO, U. K. Limited,
per J. Smith Park,
Director.

Petitioner's Exhibit 1490.

ATLANTIC CONFERENCE.

13028

Glasgow, 23 Dec., 1909.

Arbitration.

Claim made by Allan Line, as per Minute 127 London Meeting, 25th November, 1909.

Minute 127. Passengers to St. Pierre, New Foundland (see Minute 111). The Allan Line claim of refund of the Compensation charged to them for Steeragers by their steamers from, and to, New Foundland to be referred to Mr. Wilding as sole arbitrator. His decision to apply to the whole period of the present agreement.

13029

Minute 111 (Paris Meeting 25th March, 1909), reads "Passengers to St. Pierre, New Foundland. It is confirmed that passengers by Direct steamers to St. Pierre, New Foundland do not come under the Agreement Z and AA.

Reason for Minute 111.

The Compagnie Generale Transatlantique stated at the Paris Meeting 25th March, 1909, that they had for many years conveyed some hundreds of French fishermen at a special low rate, on special steamer

4343

13030

Petitioner's Exhibit 1490

from Bordeaux direct to St. Pierre in New Foundland. This carriage they did largely as a concession to Government and that the men were conveyed at so low a rate that there was no profit in it. The traffic being special and going Direct to St. Pierre offered no competition to any other interest. Minute gave leave for any Line to offer for the business. These fishermen were not to be compensated for when going direct to St. Pierre.

13031

On March 30th, 1909 the Allan Line made a claim for refund of all compensation monies they had paid for steeragers from or to the Island of New Foundland on the ground that the Minute 111 "had agreed that New Foundland passengers are not poolable under Agreement Z and AA."

Further on the Allan Line contend that New Foundland "is an Island Colony with separate Government, not included in the Dominion of Canada, and as the scope of Agreements AA and Z is expressly limited by the first Article in each agreement to passengers to and via the United States of America and Canada and *vice versa*, we think it is obvious that New Foundland business does not come under these Agreements, and therefore is not poolable."

(Allans letter to Secretary Peters.)

13032

The Anchor Line now makes Statement contesting the claim of Allan Line.

Minute 111 does not in any way indicate New Foundland business is not poolable. It simply refers to a Special class of traffic going to a special Port and to no other on the Island. Allans contention cannot be upheld by the wording of the Minute.

We agree that New Foundland is a Crown Colony and with a Government of its own, but this is a political feature and has nothing to do with its position in all Atlantic Rate questions.

Newfoundland is fully included and provided for by Agreements Z and AA and is covered by the words "Canada" or "Canadian" wherever these terms appear in Agreements or Appendixes, or Bye-Laws, attached to the Agreements.

It is perfectly true that the word Newfoundland does not appear, but this Island has never had any special treatment accorded to it. Rates ruling for Canada or from Canada have always included Newfoundland, and the Canadian Lines have never mentioned it separately.

Article 1 of both Agreements covers the Entire Steerage Traffic, and therefore must embrace New Foundland.

13034

The Article excepts Orientals &c., but no claim was made to except New Foundland.

Article 10. Appendix 2 of AA. Agreement provides for possible competition, and the Article embraces the Whole of the North Atlantic Steerage Business. This shows Agreements covered all services, all ports.

Appendix 11, Agreement Z gives Allan Line a percentage of 1.85 of the Westbound Continental Steerage Traffic, and clause 2 states "This percentage is to be calculated on the total Westbound steerage Continental traffic carried by the Allan Line" and does not except New Foundland.

13035

The Allan Line percentages under the Agreements of Westbound and Eastbound business are based on the actual carryings of the Line during 1906, 7 and all their services were included as well as their passengers to or from New Foundland.

The Allan Line included their New Foundland carryings in their Weekly Statistics from the start of the Agreements and continued to do so until they wrote Secretary on 30th March last giving notice that they would no longer include New Foundland bookings &c. This position the Anchor Line protested against at the time.

13036

Petitioner's Exhibit 1490

The Allan Line advertisements all include Newfoundland as a part of their Canadian service and we send copies of advertisements headed "Allan Line to Canada" in which rates to St. John, N. F. are mentioned in same manner as rates to Halifax N. S.

13037

The Anchor Line leave their statement with the Arbitrator and ask him to decide that the claim of the Allan Line as per Minute 127 of London Meeting 25th November, 1909, has no standing and must be rejected, that the Island of Newfoundland is included in the word "Canada," or "Canadian Service" when mentioned in the agreements, and that the Allan Line include in their pool returns for compensation all Newfoundland Steeragers, Westbound and Eastbound and must now do so for the period during which they had ceased making the return, and continue doing this until the expiry of the Agreements.

This statement is submitted to the Arbitrator as the case for the British Lines, and against the claim made by the Allan Line in pursuance of Atlantic Conference Minute No. 127.

ANCHOR LINE (HENDERSON BROTHERS),
LIMITED,

signed John Aitchison.

13038

Defendants' Exhibit 203.

13039

G. No. 694.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 4th, 1909.

To the Parties:

North West Transport Line. (G. No. 691.)

13040

S. S. "Uranium" left Rotterdam for Canada & New York on December 28th with 15 cabin passengers, 707 steeragers of which 202 for Halifax. S. S. "Volturno" left New York for Rotterdam January 1st with 80 steeragers.

S. S. "Napolitan Prince" which left New York on December 18th for Hamburg landed at Hoek van Holland December 30th about 190 passengers of which were 30 deported.

13041

Petitioner's Exhibit 1491.

13042

G. No. 695.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 5th 1910.

To the Parties:

13043

North West Transport Line. (G. No. 694.)

As advised the "Voluturno" left New York on 1st instant with 80 passengers; as opposition steamers had been selected the "Princess Irene" which obtained 281 passengers and as the Voluturno had been postponed, also the "Russia" which got 221 passengers.

Respectfully,

Hapag communicate yet the following cable from New York:

13044

"Voluturno hence January first about seventy steerage including six deported, netrate about nineteen, Princess Irene December thirtieth three hundred twelve, rate twenty-four less two, Russia January first two hundred twenty-one, rate twenty-one less two."

Petitioner's Exhibit 1492.

13045

G. No. 696.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 7th, 1910.

To the Parties:

Thomson Line to Canada.

13046

The White Star Line send me copy of a letter from their London city office, dated January 4th, 1910, which reads:

"It has come to our knowledge that the Thomson Line, which in the past has had more or less regular sailings from London to Portland and (in the season) to Montreal, have now fitted up their steamer "Cairnrona" for passengers, and she is sailing from London about Saturday the 8th inst., for Portland.

"As far as we can ascertain they are quoting rates of £8.8.— for Cabin and £5-2-6 for Steerage passages, but they appear to have no printed matter out yet relating to their passenger venture, and it would seem that they are for the moment paying more attention to getting Continental passengers than British. It is within our knowledge that about 15 passengers arrived at Liverpool Street from Antwerp this morning for them.

13047

"We enclose one of the Thomson Line's freight cards advertising the sailing, but you will notice no reference to passengers on it.

Petitioner's Exhibit 1492

13048

“We understand that Messrs. C. Morris & Co. of Fenchurch Street are prepared to book passengers for the above Line, but we do not think they will be much more successful than they have been in the past in regard to the North West Transport Line, though the fact of the steamers sailing from London instead of a Continental port will be a factor in their favour.

13049

“It is stated that the owners are building two new passenger steamers on the Tyne at the present moment, and intend eventually to establish if possible a regular Passenger Line.

“We will watch this matter closely, and will keep you posted as to any further developments that come to our knowledge.”

Respectfully,

13050

Defendants' Exhibit 204.

13051

G. No. 697.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jenā, January 8th, 1910.

To the Parties:

Payments for December 1909.

13052

I beg to request the Parties to make the following
 payments for the month of December in accordance
 with Form 30, No. 12:

Allan Line	to Anchor Line	.....£3219.—.—
" "	" Cunard Line	....."2225.—.—
American Line	" Continental Lines	.."1209.—.—
" "	" Dominion Line	...."1372.—.—
" "	" Cunard Line	....."3591.—.—
White Star Line	" Cunard Line	....."3857.—.—
Canadian Pacif. Ry. Co.	" Continental Lines	.."3360.—.—
Donaldson Line	" Cunard Line	....." 28.—.—

Respectfully,

13053

H. PETERS.

(Stamped): Received 10 Jan. 1910. Ansd.

13054

Defendants' Exhibit 205.*G. No. 698.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 8th, 1910.

To the Parties:

13055

North West Transport Line. (G. No. 695)

The 708 steeragers which S.S. "Uranium" embarked at Rotterdam for Halifax and New York on December 28th, were composed as follows:

	to U. S. A.	to Canada	Total
from Russia	438	46	484
" Austria	100	21	121
" Hungary	39	—	39
" England	3	40	43
" Roumania	7	—	7
" Bulgaria	8	—	8
13056 " Germany	3	—	3
" Italy	1	1	2
" Turkey	—	1	1
	<hr/> 599	<hr/> 109	<hr/> 708

P. S. S.S. Napolitan Prince left Rotterdam today with 14 cabin and 559 steerage passengers, of the latter 166 were for Halifax.

Petitioner's Exhibit 1493.

13057

G. No. 699.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, January 11th, 1910.

To the Parties:

*Compensation for fighting rate S.S. "Baltic" Nov.
 6th.*

The White Star Line, Liverpool send me the following account for passengers carried at fighting rates: 13058

Atlantic Conference.

Compensation due to the S.S. "Baltic" from
 New York Novbr. 6th in competition with
 the ss. "Napolitan Prince" on 10 adults
 1 child @ \$6 \$63.—

Note:

These passengers were transferred from the St. Paul which steamer was appointed by the New York small committee as the fighting steamer.

On this occasion I beg to revert to the last paragraph of G. 593 in which is said that the division of the compensation of G. 536 is subject to a rectification which is done now as follows: 13059

Amount due to White Star Line as	
per G. 536	= \$1460.—
Amount due to White Star Line as	
above	= \$ 63.—
	<hr/>
	\$1523.—

In this amount participate the parties with the following percentages as per G. 593:

13060

Petitioner's Exhibit 1493

paid to the White
Star Line as
per G. No. 536

13061	Anchor Line	3.74%	\$ 56.96	\$ 54.61
	Cunard Line	14.37%	" 218.86	" 210.10
	Hapag	11.75%	" 178.95	" 171.70
	Nasm	5.80%	" 88.33	" 84.68
	Lloyd	17.86%	" 272.01	" 260.90
	Red Star Line	8.14%	" 123.97	" 118.84
	White Star Line	14.73%	" 224.34	" 215.35
	American Line	8.29%	" 126.26	" 121.18
	Dominion Line	1.44%	" 21.93	" 21.02
	Canpac	4.26%	" 64.88	" 62.34
	Transat	4.87%	" 74.17	" 71.10
	Austro	1.82%	" 27.72	" 26.57
	Russ. American Line	2.93%	" 44.62	" 41.61
		100.00	\$1523.00	\$1460.00

so there remain to be paid:

by

13062	Anchor Line	\$ 2.35
	Cunard Line	\$ 8.76
	Hapag	\$ 7.25
	Nasm	\$ 3.65
	Lloyd	\$11.11
	Red Star Line	\$ 5.13
	White Star Line	\$ 8.99
	American Line	\$ 5.08
	Dominion Line	\$ 0.91
	Canpac	\$ 2.54
	Transat	\$ 3.07
	Austro	\$ 1.15
	Russ. American Line	\$ 3.01

\$63.00

which the parties will please remit to the White Star Line Liverpool.

Respectfully,

H. PETERS.

(Stamped): Received 13 Jan. 1910. Ansd.

Petitioner's Exhibit 1494.

13063

G. No. 700.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 11th, 1910.

To the Parties:

*Compensation for passengers carried at fighting rates
 by S.S. "Estonia" Nov. 20th, "Lituania" Dec. 4th,
 "St. Paul" Nov. 6th, S.S. "Lapland" Sept. 11th,
 "Zeeland" Sept. 25th, "Zeeland" October 23rd.*

13064

I beg to submit the following accounts for compensation moneys for passengers carried at fighting rates in accordance with Minute 22 & 104.

1. Russian America Line

S.S. Estonia November 20th against S.S. Volturno (G. 663)

New York-Rotterdam 211 ad. 15 chld. 10 infants
 = 218 1/2 adults

regular rate \$31.—

basis rate \$30.—

fighting rate \$24.—

difference \$ 6.— × 218 1/2 = \$1311.—

13065

S.S. Lituania, Decbr. 4th against S.S. Uranium.
 (G. 675)

New York-Rotterdam 250 ad. 11 chld. 6 infants
 = 255 1/2 adults

regular rate \$31

basis rate \$30.—

fighting rate \$24.—

difference \$ 6.— × 255 1/2 = \$1533.—

\$2844.—

Petitioner's Exhibit 1494

13066

2. American Line, Southampton

S.S. St. Paul Novbr. 8th against S.S. Napolitan Prince (G. 645)

New York-Southampton 366 souls = $335\frac{1}{2}$ adults

regular rate \$31 compensation

basis rate \$30.—

fighting rate \$24.—

difference \$ 6.— for $335\frac{1}{2}$ ad
= \$2013.—

13067

3. Red Star Line

s/s "Lapland" 11th Septr. 09 / "Uranium," 11th Septr. 09. (G. 585)

434/1, 66/2, 54/0 passengers at

fighting rate \$24.— (N. Y. Notice 458)

regular " \$33.—

for 467 compensation \$ 6.— \$2802.—

s/s "Zeeland" 25th Septr. 09 / "Napolitan Prince" 26th Septr. 09

336/1, 60/2, 45/0, passengers at

fighting rate \$24.— (G. 603)

regular " \$33.—

for 366 compensation \$ 6.— \$2196

13068

s/s "Zeeland" 23rd Octbr. 09 / "Uranium" 23rd Octbr. 09

432/1, 44/2, 25/0 passengers at

fighting rate \$24.— (G. 630)

regular " \$35.—

for 454 compensation \$ 6.— \$2724

\$7722.—

Petitioner's Exhibit 1494

13069

Rectifications.

s/s "Vaderland" 26th June 09	÷3/1 &	
+1/2=÷2½ for 2½ compensation at		
\$10— (G. 614)	=	÷\$25.—
s/s "Vaderland" 24th July 09		
+2/2 for +2/2 compensa-		
tion at \$6.— (G. 614)	+	\$ 6.—
		<hr/>
		= \$19.—
		÷ \$ 19.—
		<hr/>
		\$7703.— 13070

The parties participate in the division of the compensation moneys as follows:

Debitors		Creditors			
		Russian American Line	American Line	Red Star Line	
Anchor Line	3.74%	106.37	75.29	288.09	
Cunard Line	14.37%	408.68	289.27	1106.92	
Hapag	11.75%	334.17	236.53	905.10	
Nasm	5.80%	164.95	116.75	446.77	13071
Lloyd	17.86%	507.94	359.52	1375.76	
Red Star L.	8.14%	231.50	163.86	627.02	
White Star L.	14.73%	418.92	296.51	1134.65	
American Line	8.29%	235.77	166.88	638.58	
Dominion Line	1.44%	40.95	28.99	110.92	
Canadian Pac. Ry.	4.26%	121.16	85.75	328.15	
Transat	4.87%	138.50	98.03	375.14	
Austro	1.82%	51.76	36.64	140.20	
Russ. Americ. L.	2.93%	83.33	58.98	225.70	
		<hr/>	<hr/>	<hr/>	
		100.00	2844.00	2013.00	7703.00

13072

Petitioner's Exhibit 1495

Will the parties please pay the respective amounts to the Russian American Line, Libau, American Line, Southampton, and Red Star Line Antwerp.

I beg to say that these compensation bills as well as the bill of the White Star Line in G. 699 have been revised by me and that they are in accordance with the passenger lists.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passeng Dept.
Recd. 14 Jan. 1910. Ansd. 20.

13073

Petitioner's Exhibit 1495.

G. No. 701.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

13074

Jena, January 11th, 1910.

To the Parties:

Payments to the Russian East Asiatic S.S. Co.

According to Form 35, No. 12 I have to request the Parties to make the following payments for December:

Petitioner's Exhibit 1495

13075

N. D. L. V. Lines	to Russian East Asiatic S.S. Co. . .	£176.—.—
Allan Line	" " " " " " . .	" 53.—.—
Anchor Line	" " " " " " . .	" 26.—.—
American Line	" " " " " " . .	" 62.—.—
Russian East Asiatic S.S. Co.	" Dominion Line	" 7.—.—
White Star Line	" Russian East Asiatic S.S. Co. . .	" 126.—.—
Cunard Line	" " " " " " . .	" 94.—.—
Canadian Pacific Ry. Co.	" " " " " " . .	" 50.—.—

To avoid to and fro payments I beg to request the
Parties to make the payments as follows:

N. D. L. V. Lines	to Russian East Asiatic S.S. Co. . .	£176.—.—
Allan Line	" " " " " " . .	" 53.—.—
Anchor Line	" " " " " " . .	" 26.—.—
American Line	" " " " " " . .	" 62.—.—
White Star Line	" Dominion Line	" 7.—.—
" " "	" Russian East Asiatic S.S. Co. . .	" 119.—.—
Cunard Line	" " " " " " . .	" 94.—.—
Canadian Pacific Ry. Co.	" " " " " " . .	" 50.—.—

13076

As the Russian East Asiatic S.S. Co. request me,
to cause that the payments are not sent direct to them,
I beg the lines to send their amounts always to me,
for transmission to Copenhagen, until advised to the
contrary.

13077

Respectfully,

H. PETERS.

(Stamped): Received 14 Jan. 1910. Ansd. Re-
ceived 13 Jan. 1910. Ansd.

13072

Petitioner's Exhibit 1495

Will the parties please pay the respective amounts to the Russian American Line, Libau, American Line, Southampton, and Red Star Line Antwerp.

I beg to say that these compensation bills as well as the bill of the White Star Line in G. 699 have been revised by me and that they are in accordance with the passenger lists.

Respectfully,

H. PETERS.

(Stamped): Ismay, Imrie & Co. Passenger Dept.
Recd. 14 Jan. 1910. Ansd. 20.

13073

Petitioner's Exhibit 1495.

G. No. 701.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 11th, 1910.

13074

To the Parties:

Payments to the Russian East Asiatic S.S. Co.

According to Form 35, No. 12 I have to request the Parties to make the following payments for December:

Petitioner's Exhibit 1495

13075

N. D. L. V. Lines	to Russian East Asiatic S.S. Co. . .	£176.—.—
Allan Line	" " " " " " . .	" 53.—.—
Anchor Line	" " " " " " . .	" 26.—.—
American Line	" " " " " " . .	" 62.—.—
Russian East Asiatic S.S. Co.	" Dominion Line	" 7.—.—
White Star Line	" Russian East Asiatic S.S. Co. . .	" 126.—.—
Cunard Line	" " " " " " . .	" 94.—.—
Canadian Pacific Ry. Co.	" " " " " " . .	" 50.—.—

To avoid to and fro payments I beg to request the
Parties to make the payments as follows:

13076

N. D. L. V. Lines	to Russian East Asiatic S.S. Co. . .	£176.—.—
Allan Line	" " " " " " . .	" 53.—.—
Anchor Line	" " " " " " . .	" 26.—.—
American Line	" " " " " " . .	" 62.—.—
White Star Line	" Dominion Line	" 7.—.—
" " "	" Russian East Asiatic S.S. Co. . .	" 119.—.—
Cunard Line	" " " " " " . .	" 94.—.—
Canadian Pacific Ry. Co.	" " " " " " . .	" 50.—.—

As the Russian East Asiatic S.S. Co. request me,
to cause that the payments are not sent direct to them,
I beg the lines to send their amounts always to me,
for transmission to Copenhagen, until advised to the
contrary.

13077

Respectfully,

H. PETERS.

(Stamped): Received 14 Jan. 1910. Ansd. Re-
ceived 13 Jan. 1910. Ansd.

13078

Defendants' Exhibit 206.*G. No. 702.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 12th 1910.

To the Parties:

13079

Norway-Mexico Gulf Line. (G. No. 681)

On this enterprise I receive the following report
 of the 5th instant:

(Translation)

Norway-Mexico Gulf Line Ltd.

13080

"In reply to your favor of 19th ult. we beg to advise, that said company which was started with a capital of 1000000 Kronen, which capital probably has been paid fully now, entertains direct steamship connection between Scandinavia and the ports of the Mexican Gulf. The president of said company is Mr. G. M. Bryde, shipowner of Christiania.

The company receives a government subvention of 100000 Kronen and owns so far three steamers SS. Texas, SS. Tholma, and SS. Noruega.

The line seems to work well ahead and is built up principally on the freight business, the steamers take however a small number of passengers. We beg to enclose a cutting from the timetable "Norges Kommunikationer" from which you may see the route of the steamers; the steamers also call at Gothenburg for supplementing their cargo."

The cutting reads as follows:

Defendants' Exhibit 206

13081

107 Norge-Mexico-Gulf Linien.
 Telegr.: "Brydeline," Kristiania

S/S "Tholma" laster i Kristinia 3/5 Januar for
 Newport News, Norfolk U. S. A., Havana, Puerto
 Mexico, Galveston og New Orleans.

S/S. "Noruega" laster i Galveston og New Or-
 leans 20/30 Januar medtagende last til hele Skan-
 dinavien.

S/S. "Texas" laster i Kristiania 3/5 Februar for
 Newport News, Norfolk U. S. A., Havana Puerto
 Mexico, Vera Cruz, Galveston og New Orleans *Med-
 tager 1ste og 3die Klassen Passagerer.*

13082

Last til de fleste indre amerikanske Steder skibes
 med strste Fordel via Newport News og Galveston,
 ligesom man via Puerto Mexico opnaar hurtig og
 billig Forsendelse af Varer til samtlige Steder paa
 den amerikanske Stillehavskyst.

Passagerer og last anmeldes ved Linjens Agenter
 samt ved Hovedkontoret.

G. M. BRYDE,
 Raadhusgaden 30. Kristiania."

Respectfully,

H. PETERS.

(Stamped): Received 14 Jan. 1910. Ansd.

13083

13084

Defendants' Exhibit 207.*G. No. 703.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 15th, 1910.

To the Parties:

13085

Thomson Line to Canada. (G. No. 696.)

I beg to refer to circular letter G. No. 696.

The White Star Line send me the following further letter from their London (City) Office, dated January 10th, which reads:

"Referring to our letter of the 4th instant, we find that the "Cairnrova" was not able to sail on Saturday, but has got away today.

"She has 10 cabin and about 110 steerage passengers, and we believe there are a further number of close on 100 Continental passengers left behind in Liverpool, who may perhaps go forward in the next North West Transport boat seeing that the same people are working the passenger business for both Lines.

"The next sailing of the Thomson Line is the 'Cairnrova' again, and she is expected to leave London somewhere about the 17th February."

13086

Respectfully,

Defendants' Exhibit 208.

13087

G. No. 704.

ATLANTIC CONFERENCE.

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 15th, 1910.

To the Parties:

N. Y. State Board of Charities.

13088

I beg to refer to Mediterranean Memo No. 145 and A. A. C. Memo No. 53 dated Newyork December 23rd 1909, copies of which I suppose all the S.S. Lines, going to Newyork, will have received through their Newyork representatives.

The Austro Americana would be glad to learn what position the Lines intend to take in this matter and I address this letter to the Parties to the Atlantic Conference as well as to the Parties to the Mediterranean Conference, in case joint action is considered desirable and Lines do not prefer to instruct their representatives individually.

Respectfully,

13089

13090

Defendants' Exhibit 209.*G. No. 705.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, Januar 17th, 1910.

To the Parties:

Compensation for fighting rates.

13091

Please correct on page 2 of circular letter G. No.
 700 number of passengers carried by

S.S. Lapland	11th September	09 431/1, 66/2, 54/0
S.S. Zealand	25th "	09 336/1, 60/2, 45/0
S.S. Zealand	28th October	09 432/1, 44/2, 25/0

also please add on page 3 the sign \$ before the
 amounts to be paid; there is no alteration in the pay-
 ments.

Respectfully,

H. PETERS,
 p. L. P.

13092

(Stamped): Received 1 Jan. 1910. Ansd.

Petitioner's Exhibit 1496.

13093

G. No. 706.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 17th, 1910.

To the Parties:

Hapag & Lloyd eastbound percentages.

I am informed by the Hamburg-American Line
 and Norddeutscher Lloyd that they have agreed be-
 tween themselves, that beginning with January 1st,
 1910, their resp. *eastbound* shares shall be as follows:

13094

Hamburg American Line	12.58%
Norddeutscher Lloyd	18.56%

Respectfully,

Petitioner's Exhibit 1497.

G. No. 707.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

13095

Jena, January 18th, 1910.

To the Parties:

North West Transport Line. (G. No. 698.)

S. S. "Sicilian Prince" sailed 15th instant from Rot-
 terdam for Halifax and New York with 357 steer-
 agers of which were 52 for Halifax.

Respectfully,

(Stamped): Ismay, Imrie & Co. Passenger Dept.
 Recd. 20 Jan. 1910. Ansd.

13096

Defendants' Exhibit 210.*G. No. 708.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 19th, 1910.

To the Parties:

Blue Star Line. (G. No. 688.)

13097

The Shipping Gazette of January 17th contains the following notice from their New York correspondent:

13098

"Under the name of the Blue Star Line a new service is to run between Bordeaux, the headquarters of its owners, the Compagnie Franco-Nord Americaine, and New York. From the latter port the Blue Star boats will proceed to Philadelphia, discharging there passengers and freight. Intermediate ports of call will be the Azores and Lisbon. The first steamer in the service, the Notre Dame de Lourdes, is to sail from New York on Feb. 5, and on May 4 a second steamer, the Jeanne d'Arc, will be put on to alternate with the first till Aug. 27. Nine sailings in all have been arranged up to and including that date. The regular rates are put at 9l. first-class to Bordeaux, and 10l. to Italy, the third-class being 5l. 8s. and 6l. 8s. respectively."

Respectfully,

Petitioner's Exhibit 1498.

13099

G. No. 709.

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address :
 "Secretair," Jena.

Jena, January 20th, 1910.

To the Parties:

North West Transport Line. (G. No. 707.)

13100

S. S. "Napolitan Prince" which sailed on January 8th from Rotterdam for Halifax and New York had on board 559 steeragers. The steeragers were composed as follows according to nationality & destination:

	<i>for U. S. A.</i>	<i>for Canada</i>	<i>Total</i>	
from Russia	295	36	331	
" Austria	105	21	126	
" Hungary	46	—	46	
" Italy	14	5	19	
via England	—	16	16	
from Bulgaria	12	—	12	13101
" Germany	6	—	6	
" Switzerland	2	—	2	
" Roumania	—	1	1	
	<hr/>	<hr/>	<hr/>	
	480	79	559	
	<hr/>	<hr/>	<hr/>	

Respectfully,

13102

Defendants' Exhibit 211.*G. No. 710.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 20th, 1910.

To the Parties:

*Reduced transportation for Alien Charity persons
 from New York State Board of Charities.*

13103

With reference to G. No. 704/M. No. 412 The
 Red Star Line write:

(Translation) "For different reasons we
 are positively against it:

1) "The Lines are bound by the American
 Immigration Laws to return passengers be-
 coming public charges within 3 years and be-
 yond this should not assume further duties.
 We believe that if a passenger becomes dis-
 tressed after more than 3 years the Line which
 has transported him at the time has nothing to
 do with it.

13104

2) "If we comply with the request other
 philanthropic institutions will approach the
 Lines with similar wishes and it will be diffi-
 cult to refuse one that what has been granted
 to the other.

3) "Such favors are soon known and many
 passengers who want to travel at a cheap rate
 will try to state advantage of such reductions
 and in place of applying to the Lines and
 agents, will go to such benevolent institutions.

4) "It is possible that one or the other of
 the European states might get the thought of

Petitioner's Exhibit 1500

13105

adopting similar restrictions against sick and invalide or non selfsupporting passengers. Fact is that we have had difficulties already with the Belgian government on account of those sent back from the other side under our three years obligation and in several instances had extremely high costs in order to avoid dilata-tions. The increased arrivals of such elements would increase the danger of provoking re-strictions from the Belgian officials."

Respectfully,

13106

Petitioner's Exhibit 1500.

G. No. 711.

ATLANTIC CONFERENCE:

Secretary's Office
Telegraph Address:
"Secretair," Jena.

Jena, January 20th, 1910.

To the Parties:

Compensation for fighting rates.

13107

In G. No. 705 it is said that S. S. Lapland Sep-tember 11th, 1909, carried 431 adults at fighting rates but this should read 434, of which the Parties will please take notice.

Respectfully,

H. PETERS.

p. L. P.

(Stamped): Received 24 Jan. 1910. Ansd.

13108

Petitioner's Exhibit 1501.*G. No. 712.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 22nd, 1910.

To the Parties:

13109

North West Transport Line. (G. No. 709.)

The White Star Line received following letter from
 their New York office:

"North West Transport Line. The s. s. 'Volturno' sailed the 1st. inst., and is estimated to have had 80 Third Class; the 'Russia' of the Russian American Line, which was the competitive steamer, had 221. We enclose circulars issued by this Line one of which you will see refers to the Turbine steamers 'Helio-polis' and 'Cairo' entering the service in the Spring. Rumors here had been that these vessels were not to go on the Rotterdam Halifax N. Y. route but on a new service Liverpool to Canada, but this circular would seem to indicate that they are for the New York trade."

13110

A copy of the circular referred to is attached.

Respectfully,

Petitioner's Exhibit 1502.

13111

*Annex to G. No. 712. 22/1/10.**(Cut of Steamer.)*

Turbine Steamers "Heliopolis" and "Cairo"
12,500 Tons, 25,000 I. H. P. Speed 21 Knots.

An Improved New York-Rotterdam Service.

Deputy Consul-General Ernest Vollmer, of Rotterdam, reports to the Department at Washington that the North-West Transport Line, at present maintaining a by-weekly service between New York and Rotterdam, has announced that extensive improvements will be made early in the spring 1910.

13112

Freight and passengers have for some time past been overtaking the capacity of the present fleet, so that the company has secured the Cairo and Heliopolis for the run. While these ships will replace two of the present vessels, and sailings will not be increased, the facilities of the line will nevertheless be almost doubled. The Cairo and Heliopolis are turbine vessels of 12,500 tons and 25,000 indicated horsepower. They are some 18 months old and were built by the Fairfield Shipbuilding Company. Extensive alterations, including increased bunker capacity will be made at once, so that the ships will be ready for their new run about March. The Volturno, at present in the trade, will remain as the third vessel of the fleet. The new ships have accommodations for 680 first class passengers and possess every modern convenience, so that the company will now be able to compete for the better class of trans-Atlantic passenger business. The Canadian Northern Railway is reported to have recently announced that it is booking this enterprise.

13113

13114

Defendants' Exhibit 212.*G. No. 713.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 24th, 1910.

To the Parties:

North West Transport Line. (G. No. 709.)

13115

S. S. "Vultorno" sailed Saturday 22nd instant from Rotterdam with eleven cabin passengers and 433 steeragers of which 150 for Halifax. Next sailing S. S. "Uranium" February 5th.

Respectfully,

Petitioner's Exhibit 1503.*G. No. 714.*

ATLANTIC CONFERENCE.

Secretary's Office
 Telegraph Address:
 "Secretair," Jena.

Jena, January 25th, 1910.

13116 To the Parties:

North West Transport Line. (G. No. 712).

The "Uranium" left New York on 22nd instant with about 90 steeragers at a net rate of about \$19, she further had 37 deported passengers. Opposition steamers were "Estonia" which left New York on 18th inst. with 301 steeragers and "Lapland" January 22nd with 417 steeragers at a rate of \$22 less \$2.

Respectfully,

